



201 S. MAIN ST.
BRAZORIA, TEXAS 77422

Ph: (979) 798-2489
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City of Brazoria

Manufactured Home Special Use Permit Procedures

1. All applicants must file with the Public works office for a special use permit to locate a Manufactured home, and or Recreational Vehicle on property in the City for Residential Purposes
2. The application must include, applicants name, address, telephone number, legal description of the property where the unit will be located, Description and pictures of the unit to be located within the City of Brazoria. A copy of the title of the unit.
3. The City staff will provide the applicant with forms describing all adjacent property owners to the proposed unit location in order for the applicant to obtain written permission to locate the unit on described property.
4. The form must be sent certified mail return receipt requested. Should the owner fail to return the form in 15 Days or not respond it will be assumed that the owner does not object to the placement of the unit.

5. Once all forms have been returned to the City, all signatures will be verified, and the application will be placed on the next available regular meeting of the City Council for action to be taken.
6. If any property objects to the placement of the unit then City Council shall deny the special use permit.
7. If approved, all codes that apply to the unit must be met before any City utilities are provided to the unit.

ARTICLE 3.08 MANUFACTURED HOMES, MOBILE HOMES AND RECREATIONAL VEHICLES*

Division 1. Generally

Secs. 3.08.001–3.08.030 Reserved

Division 2. Mobile Home Sites Outside Licensed Park

Sec. 3.08.031 Definitions

Hard surface road, alley or driveway. An asphalt or concrete road, alley or driveway.

Licensee. Any person licensed to operate and maintain a manufactured home park or travel trailer park under the provisions of this division.

Manufactured home. A manufactured home, formerly known as a mobile home, is a manufactured home built to the Manufactured Home Construction and Safety Standards (HUD Code) which displays a red certification label on the exterior of each transportable section. Manufactured homes are built in the controlled environment of a manufacturing plant and are transportable in one or more sections on a permanent chassis.

Modular home (industrialized housing). Industrialized housing is also known as modular housing, and is a residential structure that is (1) designed for the occupancy of one or more families, (2) constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site, and (3) designed to be used as permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system. These structures are regulated in accordance with section 1202 of the Texas Occupations Code and are subject to the city's permit procedures applicable to all other residential housing built on a lot in the city. This definition is included to differentiate between a manufactured home and industrialized housing.

Natural or artificial barrier. Any river, pond, canal, railroad, fence or tree or hedge which prohibits public of and ease of access to a manufactured home park or travel trailer park from the outside.

Nonconforming use. Any building or structure or use of land lawfully occupied at the time of the earliest effective date of this division, which does not conform to the plans and specifications and license requirements of this division for operating and maintaining a manufactured home park or travel trailer park.

Park. Either a manufactured home park or a travel trailer park in the respective context.

Permittee. Any person to whom a permit is issued to maintain and operate a manufactured home park or travel trailer park as a nonconforming use under the provisions of this division.

Person. Any natural individual, firm, trust, partnership, association or corporation.

Travel trailer. Any vehicular portable structure designed as a temporary dwelling for travel, recreational use and vacation uses, and includes folding hardtop campers transported behind a motor vehicle, truck mounted campers attached to and transported being a motor vehicle or pickup, a camper, converted bus, tent trailer, tent or similar devise used for temporary portable housing, or a similar type of temporary dwelling intended for short-term occupancy, travel and or recreation.

Sec. 3.08.032 Special use permit

It shall be unlawful for any person to locate within the limits of the city any manufactured home or travel trailer for dwelling purposes in other than a licensed park under provisions of this division, except an application is made and approved to locate a manufactured home on private property as hereinafter provided. If part of the property is in the county but same property has an area located in the city limits, then all of said property is considered to be inside the city limits for this issuance of this permit.

(1) Application for permit. Any person desiring to place a manufactured home for occupancy on a private lot, whether said lot or lots are vacant or have improvements thereon, shall file a written application for a special use permit with the city manager. The application shall contain the name and

address of the applicant the size of the manufactured home, the year and model and original cost of the manufactured home, photographs taken from the front and rear of the manufactured home within ten days of the date of the application, proof of the date of manufacture with wind zone rating, documentation of ownership with title, and a legal description of the property upon which said manufactured home to be located. In addition, the applicant shall give assurance of ability to comply with existing building lines of adjacent conventional or residential properties. The completed application shall then be submitted by the city manager to the city council for consideration of approval at its next meeting.

(2) Written consent of adjacent property owners. Any person submitting an application for a special use permit to locate a manufactured home on a private lot outside of a manufactured home park shall notify all property-owners that own property adjacent or contiguous to the property. Rights of way are excluded and property which touches a corner of the property is contiguous. Each adjacent property owner must sign an approval to place the manufactured home on the property, with the name, address and phone number of each property owner. Approval is implied for any adjacent or contiguous property owner who currently has a manufactured home on his property. A special use permit cannot be issued without all adjacent property owners signing with approval to place the manufactured home on the property adjacent to them.

(3) Factors to be considered. The city council, in making its decision to approve or not to approve an application for a special use permit to locate a manufactured home on a private lot outside of a manufactured home park, shall consider such other factors as follows:

- (A) The location of the proposed manufactured home.
- (B) The existing type of development and land use in the immediate area.
- (C) The quality and type of the proposed manufactured home unit.
- (D) The utilization of land and air space.
- (E) The control of traffic and off-street parking.
- (F) The most appropriate use of land involved in the particular application so as not to create hardship for the applicant or owner or any property surrounding the area and to be in the public interest.
- (G) The current concepts and standards for manufactured homes.
- (H) The manufactured home cannot be more than ten (10) years old from its date of manufacture.

(4) Conditions for issuance. As a condition for the issuance of a special use permit, the city council will require:

- (A) That the permit be granted for a limited time as long as the period of time is reasonable and not arbitrary and capricious.
- (B) That the permit is nontransferable.

(C) That the manufactured home be converted in a permanent structure. Removal of tongue, wheels and axles shall be required along with placement of the manufactured home on a reinforced permanent concrete slab, or two reinforced concrete runners on which to place a manufactured home may be constructed having a minimum width of eighteen inches and having a maximum length equal to the steel frame. Each runner shall be at least six inches thick, construction of a minimum forty square foot porch built of either metal or treated wood and painted to match manufactured home. Skirting will be in one of the following materials, manufactured skirting with vent panels, corrugated steel sheets, galvanized steel sheets, plywood sheets with a 3/8-inch minimum thickness rated for exterior use by the manufacturer, brick or concrete blocks. Screen vents are required to be used with all skirting to allow for air circulation under the manufactured home.

(D) Tie downs shall be provided with each manufactured home. Each tie down shall be imbedded to a depth of four feet and shall be of the auger type. Such tie downs shall be spaced at a maximum of the foot intervals on each side of the manufactured home and at least two thousand five hundred pounds test capacity each.

(E) Storage facilities with a minimum capacity of one hundred fifty cubic feet per manufactured home shall be provided on the lot. Storage facilities shall be designed in a manner that will enhance the appearance of the manufactured home and shall be faced with masonry, baked enamel, steel or other material equal in fire resistance, durability and appearance and shall be securely affixed to the ground.

(F) Except as otherwise specifically provided, all sewer lines or laterals, and all individual manufactured home sewer line connections, fixtures and appurtenances, shall conform to and be designed, constructed, installed, tested, inspected and maintained in accordance with applicable ordinances or regulations of the city or statutes of the state. Connection shall be made to the public sewer system. Except as other specifically provided, all water service lines, connections, fixtures and appurtenances shall conform to and be designed, constructed, installed, tested, inspected and maintained in accordance with applicable ordinances or regulations of the city or statutes of the state. Connection shall be made to the public water system.

(G) After the conditions in subsections (A) through (F) are met the city manager will be authorized to connect the manufactured home to city utilities.

(5) Manufactured homes or modular home size. All manufactured homes or modular homes must be at least eight hundred (800) square feet of living area.

(6) Permit fee. The city manager, at the direction of the city council, shall issue a special use permit upon payment of the fee of one hundred seventy-five dollars (\$175.00).

(7) Travel trailers. Travel trailers used in conjunction with construction shall be allowed with a special use permit provided the travel trailer is completely removed with three (3) months of placement on the property. The owner may be granted three (3) additional permits as long as adequate progress is being made on the permanent structure. In no case shall the travel trailer remain on the property longer than

twelve (12) months. Any permitted travel trailer must have current registration and license tags.

(8) Setbacks. Setbacks shall be 20ft from the front and 10ft on sides and 20ft in the back.

Sec. 3.08.033 Existing permits or agreements

This division is not intended to abrogate or annul any permit issued or agreement made by the city council before the date of this first passage of this division with respect to the location of a manufactured home, travel trailer or park.

Sec. 3.08.034 Mobile homes prohibited

It shall be unlawful to place any mobile home, as specifically distinguished from a HUD-code manufactured home, within the city. Manufactured homes shall be allowed upon compliance with the terms of this article and other ordinances of the city. Mobile homes present in the city at the time of the first passage of this article shall be unaffected by this section but may not be relocated with the city.

(Ordinance 20-002 adopted 3/10/20)

Secs. 3.08.035–3.08.060 Reserved

Division 3. Parks

Sec. 3.08.061 Definitions

City. The City of Brazoria, Brazoria County, Texas.

City council. The city council of the City of Brazoria.

Driveway. A minor entrance way off the common access route within the park, into an off-street parking area serving one or more HUD-code manufactured mobile homes.

Hard surface road alley or driveway. Asphalt, concrete or stabilized material road, alley or driveway.

HUD-code manufactured mobile home. A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in traveling mode, is eight feet (8) or more in width or forty (40) body feet in length, or when erected on site, is 320 or more square feet, and which is built on a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems. Anything less than the length and/or width specified in this paragraph shall not be allowed in a HUD-code manufactured mobile home park. The term does not include a travel trailer.

Park. Either HUD-code manufactured mobile home park or recreational vehicle park in respective context.

Permittee. Any person to whom a permit is issued to maintain and operate HUD-code manufactured mobile home park or recreational vehicle park.

Person. Any natural individual, firm, trust, partnership, association or corporation.

Privacy fence. A wooden fence six (6) feet in height on all sides of public street frontage.

Recreational vehicle. A motor vehicle or trailer primarily designed as temporary living quarters for recreational camping or travel use, which is generally less than 320 square feet. Travel trailer, camping trailer and motor home.

Sec. 3.08.062 Permit

It shall be unlawful for any person to locate within the limits of the city or the extraterritorial jurisdiction of the city any HUD-code manufactured mobile home park or recreational vehicle park except application is made and approved to locate within the city limits or the extraterritorial jurisdiction of the city as hereinafter provided:

(1) Application for special use permit. Any person desiring to place a HUD-code manufactured mobile home park or recreational vehicle park shall file a written application for a special use permit with the city manager. That application shall contain the person's name, the legal and street address of the property to be located on. A preliminary site plan of the layout of the HUD-code manufactured home park or recreational vehicle park with lot layouts, utilities, and proposed streets. Plans and specifications

for water supply and refuse and sewage disposal facilities. Plans and specifications for all buildings to be constructed within the park. The location and details of lighting and electrical systems. The completed application shall be submitted to the city manager with the permit fee. The completed application shall then be submitted by the city manager to the city council for consideration of final approval.

(2) Special use permit fee. The special use permit fee shall be \$500.00 (five hundred dollars) which shall be collected at time application for the special use permit is presented to the city for approval. The permit fee is no refundable.

(3) Factors to be considered for approval of special use permit. The city council, in making its decision to approve or not to approve an application for special use permit to locate a HUD-code manufactured mobile home park or recreational vehicle park shall consider such other factors as follows:

(A) The location of the proposed HUD-code manufactured mobile home park or recreational vehicle park;

(B) The existing type of development and land use in the immediate area;

(C) The quality and type of proposed HUD-code manufactured mobile home park or recreational vehicle park;

(D) The utilization of land and air space;

(E) The control of traffic and off-street parking;

(F) The most appropriate use of land involved in the particular application so as not to create hardship for the applicant or owner of any property surrounding the area and to be in the best public interest;

(G) The current concepts and standards for HUD-code manufactured mobile home parks and recreational vehicle parks.

(H) The date of manufacturer cannot be more than 10 (ten) years from date of permit request.

Sec. 3.08.063 General requirements for HUD-code manufactured mobile homes

The following requirements, in addition to the other requirements of this division or ordinances applicable hereto, in general, the owner to whom a permit is issued for a HUD-code manufactured mobile home park shall be responsible for operation of such park in compliance with the provisions of this division and any other ordinances. Park shall be maintained, kept in good repair and clean and sanitary conditions.

(1) All HUD-code manufactured dwellings installed within the HUD-code manufactured mobile home park must meet the wind zone II requirements specified in V.T.C.A. Texas Occupation Code. section 1201.256.

(2) Owner is obligated to extend all utilities, water, sewer, natural gas and electricity throughout the HUD-code manufactured mobile home park conforming to or exceeding existing city ordinances and regulations.

(3) Must provide a minimum of two (2) off-street parking spaces per HUD-code manufactured mobile

home lot in park.

(4) Driveway and street right-of-way must be a minimum of twenty-seven (27) feet wide hard surfaced with a minimum of compacted gravel, limestone, and crush concrete or concrete streets. Street surfaces shall be maintained free of dust, cracks, holes and other hazards.

(5) HUD-code manufactured mobile home shall be tied down in accordance with minimum tie-down requirements adopted by the state commissioner of licensing and regulation pursuant to Vernon's Ann. Civ. St. art. 5221F, section 4.

(6) Every HUD-code manufactured mobile home shall be skirted in one of the following materials, manufactured skirting with vent panels, corrugated steel sheets, galvanized steel sheets, aluminum sheets, plywood sheets with a 3/8 inch minimum thickness, rated for exterior use by the manufacturer, brick or concrete blocks, or oriented strand board with a minimum thickness of 3/8 inches rated for exterior use by the manufacturer. Screened vents are required to be used with all skirting to allow for air circulation under mobile home.

(7) Each HUD-code manufactured mobile home in the park must have a minimum forty (40) square foot porch. Constructed of either metal or treated wood and painted to match the HUD-code manufactured home.

(8) Storage facilities with a minimum capacity of one hundred fifty (150) cubic feet per HUD-code manufactured mobile home.

(9) The HUD-code manufactured mobile home park must have a privacy fence on all sides abutting a public dedicated street. This privacy fence must be wooden and at least six feet (6) in height.

(10) It shall be the responsibility of the HUD-code manufactured mobile home park owner, his agents, or employees, to notify the office of the building official when any manufactured mobile home is to be connected to the available utilities in the park.

(11) Must be built up above flood elevation.

(12) Setbacks of 20 feet from the front property line, 10 feet from side property line and 20 feet from rear of property line.

(13) A dumpster must be supplied for use by all residents of the HUD-code manufactured home park with fencing enclosing the dumpster.

(14) Street lighting for the HUD manufactured mobile home park shall be provided at the entry way and along all interior streets, and shall conform to or exceed existing ordinance and regulations of the city.

Sec. 3.08.064 Same-Recreational vehicle parks

The following requirements, in addition to the other requirements of this division or ordinances applicable hereto, in general, the owner to whom a permit is issued for a recreational vehicle park shall be responsible for operation of such park in compliance with the provisions of this division and any other ordinances. Park shall be maintained, kept in good repair and clean and sanitary conditions.

- (1) Each space within the recreational vehicle park shall be at least 60 feet in length and 30 feet in width.
- (2) Setbacks shall be 20 feet from the front of the property line, 10 feet from the side property, and 20 feet from the rear of the property line.
- (3) A dumpster must be supplied for the use by all residents of the recreational vehicle park with fencing enclosing the dumpster.
- (4) Owner is obligated to extend hook ups at each space for city water and sewer system. Water, sewer and electrical hook-ups shall conform to or exceed existing city ordinances and regulations.
- (5) Each recreational vehicle space shall have adequate off street parking for each space, and additional for extra vehicles.
- (6) The recreational vehicle park must have privacy fence on all sides abutting a public dedicated street. This privacy fence must be wooden and at least six feet (6) in height.
- (7) Must be built up above flood elevation.
- (8) Street lighting for the recreational vehicle park shall be provided at the entry way and along all interior streets, and shall conform to or exceed existing ordinance and regulations of the city.
- (9) Driveway and street right-of-way must be minimum of a twenty-seven (27) feet wide hard surfaced with a minimum of compacted gravel, limestone, and crush concrete or concrete streets. Driveway and street surfaces shall be maintained free of dust, cracks, holes and other hazards.
- (10) Each space within the recreational vehicle park shall be hard surfaced with a minimum of compacted gravel, limestone, or crush concrete or concrete surface.

Sec. 3.08.065 Unoccupied and unsafe HUD-code manufactured mobile home or recreational vehicle

A HUD-code manufactured mobile home or recreational vehicle that becomes rundown, dilapidate, unsafe, or a fire hazard shall be considered to be in violation of this division. The city manager, fire marshal, or building inspector may cite the operator of the HUD-code manufactured mobile home park, recreational vehicle park owner or the owner or renter that becomes rundown, dilapidated, unsafe, a fire hazard, or a nuisance to the welfare of the HUD-code manufactured mobile home park, recreational vehicle, or city in general.

Sec. 3.08.066 Existing manufactured mobile home parks and recreational vehicle parks

This division does not make unlawful any manufactured mobile home park or recreational vehicle park which is already in place with all laws at the date of this division becomes in effect. It further provided that if a manufactured mobile home is removed from a space in an existing manufactured mobile home park in order to replace it with another mobile home it must comply with [section 3.08.063\(6\)](#), [section 3.08.063\(7\)](#), and [section 3.08.063\(8\)](#). All parks will still comply with [section 3.08.063\(9\)](#).

Sec. 3.08.067 Penalty

Any person, firm or corporation who commits any of the following shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more that \$500.00;

- (1) Any violation of this division, or
- (2) Providing false information to a city official concerning licensing or permitting under this division or compliance herewith. Each day or portion of a day during which any violation occurs or continues shall be a separate offence.

(Ordinance 20-007 adopted 4/14/20)

**Mobile Home Ordinance
Check List**

Bring this form back to Public Works

***I have received a copy of the City Of Brazoria's manufactured home ordinances
And the instructions on filling out the forms.***

Signature and Date

- Instruction sheet***
- Copy of Ordinance***
- Pictures of mobile home (inside and outside)***
- Layout of property with position of home***
- Signature sheet for adjacent property owners***
- Knowledge of size requirements***
- Knowledge of permanent requirements***
- Knowledge of slab or runner requirements as required by windstorm***
- Knowledge of skirting requirements***
- Knowledge of tie down requirements as required by windstorm***
- Knowledge of porch requirements***
- Knowledge of storage requirements***
- Knowledge of utility requirements***
- Must be Zone II as required by windstorm***



201 S. MAIN ST.
BRAZORIA, TEXAS 77422

Ph: (979) 798-2489
Fax: (979) 798-2018

City of Brazoria

Application for Special Use Permit

Bring this form back to Public Works

I _____, do hereby formally request a special use permit

From the City of Brazoria to place a Manufactured home on private property.

Name of applicant: _____

Current Address: _____

Phone #: _____

Manufactured of Home: _____

Year and Model: _____

Size: _____

Original Cost: _____

Legal Description of Property the structure will be located upon: _____

Attach a copy of plat of property showing proposed location of structure on property.

Attach copies of all required signatures granting or denying permission to locate structure

On adjacent property.

Attach copies of pictures of structure in its current location. (Inside and Outside).

Also must have a copy of the title to show year manufactured and wind storm rating.

I, the applicant, do hereby give my assurance to the City of Brazoria that I have the ability to comply with the requirements for connecting the structure to all utilities and all other requirements that must be met. I understand that I must have City Council approval prior to moving said structure.

Applicants Signature: _____ Date: _____



201 S. MAIN ST.
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**City of Brazoria
Special Use Permit Permission Form**

This letter is done by Public Works

Upon the receipt of this letter you have 15 day's to return it back to or bring it into the City of Brazoria Attn: Cadie Davis 201 S Main Brazoria, Texas 77422. Please put your Phone # on it and mark either I object to or I don't object to and sign it. By not returning with a do or do not object it will be understood as a do not.

I _____ certify that I do own and control the property located at: _____

Address: _____

Legal Description: _____

Phone #: _____

I have been provided a copy of the special use permit application.

My property is adjacent to property that is requesting a special use permit to locate a Mobile/Hud Manufactured home.

Property located at: _____

Legal Description: _____

_____ I object to the issuance of permit.

_____ I do not object to the issuance of permit.

Signature of Property Owner: _____

Applicant name and address: _____

Phone #: _____
