

Agenda Item Details

Meeting	Apr 09, 2019 - Bryan City Council Second Regular Meeting
Category	4. Public Hearings and First and Only Readings of Ordinances - Open public hearing, hear citizen comments, close public hearing, staff presentation, and consider first and only reading of ordinance.
Subject	G. Public hearing, presentation, and consideration of the first and only reading of an ordinance of the City of Bryan, Texas, to amend the text of the Bryan Code of Ordinances, Chapter 130 – Zoning, by eliminating all of Section 130-29 - Mixed Use Residential District (MU-1); converting the depiction of all parcels of land currently described on the Official Zoning District Map as MU-1 to Residential District – 5000 (RD-5); and removing all references to the Mixed Use - Residential District (MU-1) from other parts of the City of Bryan Code of Ordinances, specifically Chapters 38 – Environment; 62 – Land and Site Development; 98 – Signs; and 118 – Traffic and Vehicles; and providing for a 90-day period limited vesting provision for current owners of vacant property to seek approval under the previous standard.
Type	Action
Preferred Date	Apr 09, 2019
Absolute Date	Apr 09, 2019
Fiscal Impact	No
Budgeted	No
Goals	Economic Development Quality of Life

SUMMARY STATEMENT:

Chapter 5 of Bryan's Comprehensive Plan, BluePrint 2040, concerns land use and begins with an explanation of how development has shaped the community. The Plan states in some older residential areas, decades of unregulated development has produced conditions that make beneficial change difficult. Recognizing the importance of neighborhoods as the fundamental fabric of the community, in part BluePrint 2040 lays out a vision of the future intended to support reinvestment in Bryan's older neighborhoods. Specifically addressed in the plan is the issue of Mixed Use - Residential District (MU-1) zoning and manufactured housing on individual lots.

In the two years since its adoption by ordinance, BluePrint 2040 has guided land use decisions concerning development. To proactively implement an important part of the Plan intended to remove impediments to investment and cause positive change in older neighborhoods, on May 17, 2018, the Planning and Zoning Commission established a subcommittee to study conditions related to the manufactured housing and BluePrint 2040 recommendations. Since that date, the subcommittee has met on seven occasions to hear information gathered by staff and input from outside stakeholders and to discuss their findings and recommendations.

As observed in BluePrint 2040, manufactured housing is a major affordable housing resource for millions of people in the United States and has been a significant component of the local affordable housing market. Although at the time of initial sale, all manufactured houses must satisfy national construction and safety standards; however, despite the evident advantages of affordability and regulatory safeguards, manufactured housing is perceived by some to create negative effects on the community. Based on study of the facts as discovered and presented by staff and industry stakeholders, the subcommittee provided the following findings, recommendations, and considerations:

1. manufactured housing is a major affordable housing resource that must satisfy national construction and safety standards;
2. manufactured housing has been a significant component of the local affordable housing market;
3. there are common concerns about the quality, appearance, durability, lack of price appreciation of manufactured housing, and the perceived negative impact these factors have on neighboring property values;
4. such concerns are driven by the existence of dilapidated manufactured housing units that have, through normal wear and tear or lack of proper maintenance, passed the end of their service life but are still in use as dwellings;

5. continuing to allow the installation of manufactured homes on individual lots will create conditions having a long-term negative effect on the welfare of the public;
6. the Mixed Use - Residential District (MU-1), the only district that allows manufactured homes on individual lots by right, was established 30 years ago as a temporary district classification;
7. the zoning ordinance should be amended by eliminating the MU-1 District and converting all existing MU-1 properties to Residential District – 5000 (RD-5)
8. the conversion of MU-1 to RD-5 will effect approximately 2,606 properties;
9. the conversion of MU-1 to RD-5 will render approximately 750 existing manufactured homes a legal nonconforming use (grandfathered);
10. Owners of currently vacant MU-1 properties should be offered a brief (e.g., 90-day) opportunity to request from the P&Z approval of installation of a manufactured home for purposes of owner occupancy. Approval of such requests should be based on individual circumstances;
11. the City should consider establishing incentives to encourage owners to replace mobile/manufactured homes located on individual lots with site-built homes;
12. the conversion of MU-1 to RD-5 may reduce the availability of affordable housing; and
13. manufactured housing should be allowed in Bryan within licensed manufactured home communities.

The Planning and Zoning Commission held a special meeting on March 28, 2019, to consider the subcommittee's proposal. Twenty-seven (27) citizens came forward and spoke in opposition to the proposal. Please also refer to the excerpt from the Commission's meeting minutes attached to this Council Action Form.

ANALYSIS AND RECOMMENDATION:

During a special meeting on March 28, 2019, the Planning and Zoning Commission voted unanimously to recommended approval of the proposed amendments to the text of Bryan Code of Ordinances, as presented.

- There are common concerns about the quality, appearance, durability and lack of price appreciation of manufactured housing, and the perceived negative impact these factors have on neighboring property values. Such concerns are driven by the existence of dilapidated manufactured housing units that have, through normal wear and tear or lack of proper maintenance, passed the end of their service life but are still in use as dwellings.
- Continuing to allow the installation of manufactured homes on individual lots will create conditions having a long-term negative effect on the welfare of the public.
- The Mixed-Use Residential District (MU-1), the only district that allows manufactured homes on individual lots by right, was established 30 years ago as a temporary district classification.
- The primary initial impact of approval of the proposed text amendment will be on currently undeveloped (vacant) individual lots currently zoned MU-1.
- Approval of the proposed text amendments will not have an immediate effect upon owners of existing manufactured homes located within the MU-1 District. All existing manufactured homes on individual lots at the time of adoption of the proposed amendment may remain. By State law and local ordinance, the owners of these structures are allowed a one-time replacement with a newer manufactured home.
- The conversion of MU-1 to RD-5 District as proposed will immediately diminish the housing-type options on currently undeveloped or underdeveloped lots located within the current MU-1 Districts. Fewer such options may reduce the availability of affordable housing.
- If the proposed text amendment is approved, manufactured housing will still be allowed within licensed manufactured home communities and potentially by prior approval of a Conditional Use Permit on lots greater than one acre within the A-O District, Mixed Use District (MU-2), and Multiple-Family District (MF).

OPTIONS:

1. approve ordinance text amendments as recommended by the Planning and Zoning Commission;
2. approve ordinance text amendments with modifications (which may require City Council consideration at a future City Council meeting); or
3. do not approve this ordinance amendment at this time and provide direction to staff and the Planning and Zoning Commission.

ATTACHMENTS:

1. draft ordinance;
2. excerpt from March 28, 2019 Planning and Zoning Commission special meeting minutes;
3. memorandum to the Planning and Zoning Commission;
4. PowerPoint presentation to the Planning and Zoning Commission; and
5. citizen comments received as of March 28, 2019.

Text Amendment MU-1 to RD-5.pdf (483 KB)

ATTACHMENT CAF Citizen written comments, MU-1 to RD-5 Conversion.pdf (3,129 KB)

3-28-2019 MU-1 Conversion.pdf (952 KB)