

ORDINANCE #13-2017

An Ordinance of the City of Comanche, Texas, amending Ordinance #02-1999 Urban Standards, providing for the installation or construction of Tiny Houses within the City of Comanche, Texas.

WHEREAS, the City Council of the City of Comanche as determined to be in the City's best interest to develop zoning requirements for Tiny Houses; and

WHEREAS, it is in the best interest of the City that the health, safety and general welfare of the City be promoted by planning the orderly growth of the City; and

WHEREAS, the City Council of the City of Comanche finds it to be in the best interest of the public safety, health and general welfare to regulate Tiny Houses within the City; therefore,

BE IT ORDAINED BY THE CITY OF COUNCIL OF THE CITY OF COMANCHE:

Section I

This Ordinance is hereby referenced as the "Comanche Tiny Houses Ordinance."

Section II. General Definitions

For purposes of this Ordinance, certain terms, words and phrases shall have the meaning hereinafter ascribed thereto.

A. Building Official: The Fire Marshall, Code Administrator, Code Enforcement Officer or other designated inspection authority of the City.

B. City: City of Comanche, Comanche County, Texas and its extraterritorial jurisdiction.

C. City Council: City Council of the City of Comanche, Texas.

D. Common Access Route/Internal Street: Private drive allowing principle means of access to individual Tiny Houses.

E. Driveway: Minor entrance way of the common access route, into an off-street parking area serving one or more Tiny Houses.

F. Permit: Written permit and or application issued by the City of Comanche permitting the placement, construction, alteration or extension of a Tiny Home under the provisions of this Ordinance and regulations issued hereunder.

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

H. Tiny Houses: Residential structure(s) with less than 900 square feet total living space. Living space shall exclude porches, garages, and other space(s) not heated or cooled by any means.

Section III. Permit

A. Special Use Variance Permit: A Special Use Variance Permit Variance is required to locate a Tiny House in the City of Comanche.

B. Application Requirements for a Permit: All tiny home builders must complete a Special Use Variance Permit Application available at Comanche City Hall, 200 North Austin, Comanche, Texas, 76442.

C. Application Documents: Applicants must also provide the following with the Special Use Variance Permit Application:

1. Dimensions of the Tiny House.
2. Description of the material being used for construction.
3. Plat or blueprints (in addition to the Site Plan) identifying connections to City Services.
4. Photographs of the tiny house, if available.

C. Issuance of Permit: In considering the application, the Planning and Zoning Commission and the Comanche City Council may take into account the proposed location of the Tiny House in relation to the present and anticipated land use and development. After review of the application and determining the application and the proposed home complies with this Ordinance and other applicable laws, codes regulations and zoning ordinances, the Comanche City Council shall approve or deny that a permit be issued.

Section IV. Requirements

A. The Tiny House must be on a foundation with at least six (6) inches of cement footing, which is steel reinforced for load bearing walls. A tiny home built on a trailer is required to remove wheels/axles in order to tie down to a foundation as described above.

B. The Tiny House must have a driveway.

C. A Pre-manufactured Tiny House is required to be skirted.

D. The Tiny House must have an assigned address confirmed through the 911 GIS Systems Administrator.

E. The Tiny House must be connected to City utilities, which is water, sewer, and trash services.

Section V. Penalty Provisions

Any person violating this Ordinance or any portion thereof shall upon conviction be guilty of a Class C Misdemeanor and shall be fined not less than \$250.00 for each day that such violation continues. Each day may be considered a separate offense and punishable accordingly.

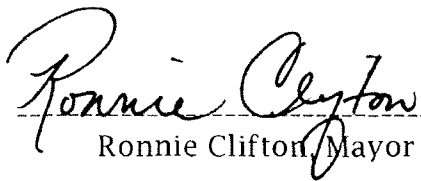
Section VI. Severability

If any section or part of any section or paragraph of this Ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this Ordinance.

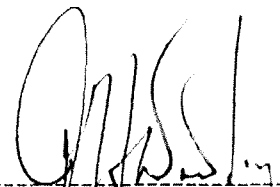
Section VII. Effective Date

This Ordinance shall take effect on January 15, 2018 after its passage and publication as required by law.


PASSED, APPROVED AND ADOPTED AT A REGULAR MEETING OF THE COMANCHE CITY COUNCIL ON THIS 11TH DAY OF DECEMBER, 2017.



Ronnie Clifton, Mayor



James H. Dudley, City Attorney



Jacci Stewart, Interim City Secretary