



TEXAS MUNICIPAL LEAGUE
Empowering Texas cities to serve their citizens

President **David Rutledge**, Mayor, Bridge City
Executive Director **Bennett Sandlin**

March 22, 2023

The Honorable DeWayne Burns
Chairman, House Land and Natural Resources Committee
Texas House of Representatives
P.O. Box 2910
Austin, TX 78768-2910

Dear Chairman Burns,

I am writing on behalf of the Texas Municipal League to oppose **H.B. 2970** by **Representative Guillen** as currently drafted. The bill would, among other things, permit the placement of a new HUD-code manufactured home by right in all zoning classifications that allow detached single-family or duplexes. We appreciate the author's intent to expand housing options for Texas homebuyers. However, as currently drafted, H.B. 2970 will unreasonably restrict a city's ability to categorize residential land uses to reflect community needs and concerns.

City governments are uniquely positioned to make informed decisions about local land use. Zoning classifications are essential to preserve neighborhood character, encourage and plan for growth, and protect public health and safety. Because of this, cities often establish different types of residential zoning classifications based on the nature and intensity of the use. Some smaller cities may only have one or two residential zoning classifications, while other communities have several.

Local leaders, in collaboration with property owners, neighborhood groups, and other interested citizens determine the appropriate uses and regulations for each district. This on-the-ground decision-making process helps promote and balance cohesive and compatible land use and development for each community. State law requires zoning decisions to be made with extensive public input. Further, many cities base their zoning classifications on a comprehensive plan that is also legally required to receive significant public scrutiny.

Under existing law, HUD-manufactured homes are already allowed in areas determined to be appropriate by the city, including a subdivision, planned unit development, single lot, and rental community or park. If the committee feels existing law is inadequate to promote affordable housing in some areas, the committee might consider a modification to the language to allow HUD-Code manufactured housing in at least one residential zoning classification within the city. Alternatively, the committee might consider expanding the 500-foot comparison zone and clarifying external feature requirements. Changes along these lines would help to address city

concerns about permitting the placement of these homes in all residential zoning classifications that allow single-family housing or duplexes.

We welcome the ability to work with the committee and bill author to make changes that would retain the legislation's overall goal while supporting local decision-making.

Sincerely,

A handwritten signature in black ink, appearing to read "Monty Wynn". The signature is fluid and cursive, with a large initial "M" and a stylized "W".

Monty Wynn
Director, Grassroots and Legislative Services
Texas Municipal League