

**ORDER TO ESTABLISH MINIMUM
INFRASTRUCTURE STANDARDS FOR
MANUFACTURED HOME RENTAL COMMUNITIES**

On this 9th day of December, 2010, the Tom Green County Commissioners Court, pursuant to Section 232.007, Local Government Code, adopted the attached minimum infrastructure standards for manufactured home rental communities located in the county outside the limits of a municipality.

Adopted by a vote of 4 ayes and 0 nays.


Judge Pro-Tem
Richard S. Easingwood

ATTEST:

Before me, the undersigned authority, on this day personally appeared: County Judge Pro-Tem Richard S. Easingwood, Commissioner, Pct. 4; Ralph E. Hoelscher, Commissioner, Pct. 1; Aubrey deCordova, Commissioner, Pct. 2; and Steve C. Floyd, Commissioners, Pct 3; Tom Green County, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes, therein expressed and in the capacity therein stated.

Subscribed and acknowledged before me by the said County Officials, on this the 9th day of December, 2010.



Attest: Asyna Yancy, Deputy Clerk
for Elizabeth McGill, County Clerk
Tom Green County, Texas

TOM GREEN COUNTY
MANUFACTURED HOME RENTAL COMMUNITY DEVELOPMENT
REGULATIONS
Adopted December 9, 2010

Infrastructure Development Plan

- A. In accordance with Local Government Code Section 232.007, an Infrastructure Development Plan (IDP) is required for all manufactured home rental Communities, as defined in Section 232.007, Local Government Code.
1. The development shall have a minimum of sixty (60) feet fronting a street or roadway which has been previously dedicated to the public for the public's use and benefit as a street or roadway. Access roads to the individual rental spaces must be constructed and paved to a minimum width of 20 feet with a 1 ½ inch thick Hot Mixed Asphaltic Concrete (HMAC) paved surface, 8 inch thick crushed stone base, and, if located in clay or sandy soils, a 10 inch thick treated subgrade.
 2. No space may contain more than one single family residential unit. No common driveway shall be allowed. Each space shall have separate and individual access.
 3. A survey of the property shall be submitted prior to the request by the owner or occupier of the lot for any permit and/or utility services.
 4. The owner shall submit a letter of application, signed by the owner, which stipulates the intention of the owner; name, address, phone number of the owner; names of water and electricity providers; and name of wastewater provider or type and usage of on-site sewage facilities.
- B. The Manufactured Home Rental Community Infrastructure Development Plan (IDP) shall show at minimum the following:
1. Only 18" x 24" sheets will be acceptable and at a maximum scale of 1"= 200' (1" = 100' preferred). An index on the first sheet is required when more than two sheets are required for the IDP.
 2. Names, locations, dimensions (bearings and distances), and layouts of existing and proposed streets, alleys, easements, and other public rights-of way and public/private encumbrances (deed restrictions, etc.) on the property and any proposed street right-of-way, easement, alley, park, or other public dedication.
 3. Dimensions, bearings and distances, of the proposed rental spaces.

4. Signatures and date of approval and certifications on the IDP. These approval signatures shall be not more than six (6) months prior to the submission.
5. Legal description, acreage, and name of the proposed Development. The Development's name shall not be spelled or pronounced similarly to the name of any existing Development or Subdivision located within the County.
6. The boundary of the Development indicated by a heavy line and described by bearings and distances.
7. Scale, legend, north arrow, spot elevations on 100' or an appropriate grid, with two foot (2.0') contour lines. Alternate contour intervals may be submitted, based on terrain, with approval from the County.
8. Deed record, name of owner, volume and page number of adjoining properties.
9. Dates of survey and preparation of IDP.
10. Identification code, location, description, and elevation of the USGS or appropriate benchmark used in the survey.
11. Front building setback lines. Back and side building setback lines by note.
12. Location of any City's corporate limit line or extra territorial jurisdiction line.
13. Vicinity map with streets, ditches, general drainage flow directions to the ultimate outfall, city limits and ETJs, and other major land features.
14. Net area (gross area less easements) of rental spaces to the nearest 1/100 of an acre for lots using On Site Sewage Facilities and/or well water.
15. Limits of flood hazard areas as defined by the appropriate FEMA FIRM panel and the proposed finished floor elevation of buildings within these flood hazard areas on each space.
16. A certification by a Surveyor or Engineer describing any area of the Development that is in a Flood plain or stating that no area is in a Flood plain, as delineated by the appropriate FEMA FIRM panel and date.
17. A surveyor's signature and seal on the IDP for certification.
18. The description of the water and sewer facilities, electricity and gas utilities, and roadways and easements dedicated for the provision of water and sewer facilities that will be constructed or installed to serve the Development and a statement of the date by which the facilities will be fully operable, prepared by an Engineer (may be included in an attached document).

A certification must be included that the water and sewer facilities described by the IDF, or document attached to the IDP, are in compliance with these Regulations.

19. Approvals by other regulatory and governing bodies, as required.
- C. The IDP submittal shall also include the following documents:
1. Letters signed and dated from water, wastewater, and electric utilities of service commitment and availability and statement of approval of existing and proposed utility easements.
 2. A tax certificate showing that all taxes currently due with respect to the original tract have been paid.
 3. Results of soils analysis certified by a qualified site evaluator (as defined by 30 TAC Chapter 285) for on-site sewage facilities (OSSF).
 4. Engineering Design Construction Plans for roadway access to each rental space for fire and emergency vehicles.
 5. Drainage design plans to ensure adequate drainage off of the rental spaces to drainage channels and out of the Development, including the design of drainage structures, culverts, and/or systems using a 10 year storm frequency, such that the drainage out of the Development does not have a negative drainage impact on neighboring properties. If additional right of way (ROW) is required for existing County road drainage and access as determined by the County Engineer to achieve a 60 foot wide Right of Way, the owner shall dedicate these rights of way to the County.
 6. The Engineering Report, as described in Section A 4.0 of these Regulations.
- D. Inspection of Improvements. Construction of a proposed Manufactured Home Rental Community may not begin before the date the Commissioners Court approves the IDP. Periodic inspection of improvements may be required. If the County directs that a final inspection is required, it must be completed not later than the second business day after the date the County receives a written confirmation from the owner that the construction of the infrastructure is complete.
If the inspector determines that the infrastructure improvements comply with IDP, then the County shall issue a Certificate of Compliance not later than the fifth business day after the date the County receives written confirmation from the owner that the infrastructure has been completed and in compliance with the IDP.
- E. Utilities. A Utility may not provide utility services, including water, sewer, gas, and electric services, to a Manufactured Home Rental Community subject to an IDP or to a manufactured home in the community unless the owner provides the utility with a copy of the Certificate of Compliance issued by the County. This requirement applies to:
1. A municipality that provides utility services;

2. A municipality owned or municipally operated utility that provides utility services;
 3. A public utility that provides utility services;
 4. A nonprofit water supply or sewer service corporation organized and operating under Chapter 67, Water Code, that provides utility services;
 5. A county that provides utility services; and
 6. A special district or authority created by state law that provides utility services.
- F. **Timely Approval of Infrastructure Development Plans.** Not later than the 60th day after the date the owner of a proposed manufactured home rental community submits an infrastructure development plan for approval, the County shall approve or reject the plan in writing. If the plan is rejected, the written rejection must specify the reasons for the rejection and the actions required for approval of the plan. The failure to reject a plan within the period prescribed herein constitutes approval of the plan.
- G. **Fees.** The owner of a proposed manufactured home rental community shall submit the plat review and inspection fees as provided in Schedule 1 of the Tom Green County Rules and Regulations for Subdivisions.

Engineering Report for Manufactured Home Rental Communities

This report, which shall be signed, dated, and sealed by a licensed professional engineer registered in Texas, shall contain detailed and definitive information on the following:

- A. **Water Supply Facilities**
1. **Public Water Systems**
 - a. If the water supplier is a political subdivision of the state: a city, municipality, utility district, water control and improvement district, nonprofit water supply corporation, etc., the Developer shall furnish a signed letter of service availability from the water supplier to provide the state's minimum requirements of quality and quantity of water to the proposed Development.
 - b. Where there is no existing facility or owner intending to construct and maintain the proposed water supply facilities, the Developer may establish an investor-owned utility or create a municipal utility district and obtain a Certificate of Convenience and Necessity (CCN) from the Texas Natural Resources Conservation Commission (TNRCC) and include evidence of the CCN issuance for the Development area. Prior to IDP approval, plans and specifications for the proposed water facilities system shall have been approved by all entities having jurisdiction over the proposed project, including TNRCC.

- c. Water service must be extended into the Development to each lot or rental space if the existing water lines are located within 300 feet of the Development and if there is sufficient water available by the water supplier.
2. Private Wells or Non-public Water Systems – Quantitative and qualitative results of sampling test wells in accordance with requirements promulgated by the TNRCC and the Texas Department of Health shall be included where individual wells are proposed for the supply of drinking water to residences and other establishments. The results of the analyses shall be made available to the prospective property owners or renters.
3. Prior to IDP approval, plans and specifications for the proposed water facilities system shall have been approved by all entities having jurisdiction over the proposed project, including TNRCC. Evidence of the approvals shall be included in the Engineering Report.

B. Wastewater Disposal Facilities

1. Centralized Sewerage Facilities

- a. If wastewater treatment is provided by a political subdivision of the state (city, municipality, utility district, water control and improvement district, nonprofit water supply corporation or an existing investor-owned water supply corporation, etc.) the Developer shall furnish a signed letter of service availability to provide the state's minimum wastewater treatment standard for the proposed Development from the utility.
- b. Where there is no existing entity or owner to build or maintain the proposed wastewater treatment and collection facilities, the Developer may establish an investor-owned utility or a municipal utility district by obtaining a Certificate of Convenience and Necessity (CCN) from the TNRCC.
- c. Prior to IDP approval, an appropriate permit to treat and/or dispose of wastes for the ultimate build-out of the Development shall have been obtained from the TNRCC and plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project, including TNRCC. Evidence of the approvals shall be included in the Engineering Report.
- d. Wastewater disposal service must be extended into the Development to each lot or rental space if the existing wastewater lines are within 200 feet of the Development and there is sufficient wastewater capacity available from the wastewater service provider.