ORANGE COUNTY, TEXAS

# MINIMUM INFRASTRUCTURE STANDARDS
## MANUFACTURED HOME RENTAL COMMUNITIES

**As Compiled By The**

ORANGE COUNTY ENGINEER, and

Adopted By

COMMISSIONERS' COURT OF ORANGE COUNTY, TEXAS

**Pursuant To**

**Texas Local Government Code §232.007**

**Adopted on January 16, 2001**
*Modified August 25, 2008*

## I.
## INTRODUCTION AND DEFINITIONS

1.01. ***Manufactured Home Rental Communities.*** A Manufactured Home Rental Community is a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes for use and occupancy as residences.

1.02. ***Infrastructure Plan Required.*** However, the owner who intends to use the land for a manufactured home rental community must have an infrastructure development plan prepared that complies with the minimum infrastructure standards established in Section II of these Regulations. A property developed as a manufactured home rental community and not subdivided from another tract in a manner that would subject ordinarily subject the same to the provisions of the Orange County Subdivision Code Rules and Regulations For Platting and Replatting Land Into Subdivisions is not subject to the subdivision regulations established herein.

## II.
## INFRASTRUCTURE DEVELOPMENT PLAN

2.01. ***Infrastructure Development Plan Required.*** 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 1.02 of these regulations, developed after January 16, 2001.

2.02. *Standards and Specifications*

A. The development shall have a minimum of twenty (20) 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 eighteen (18) feet, with a paved surface, eight (8) inch thick crushed stone base, and, if located in clay or sandy soils, a ten (10) inch thick treated subgrade. Individual units shall be placed no closer than thirty (30) feet apart. A diagram, demonstrating a model layout and design, is attached hereto as Exhibit "A" and incorporated herein by reference.

B. No space may contain more than one single family residential unit. No common driveways shall be allowed. Each space shall have separate and individual access.

C. A survey of the property shall be submitted to the Orange County Road and Bridge Department prior to the request by the owner or occupier of the lot for any permit and/or utility services.

D. The owner shall submit a letter of application, signed by the owner, that 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.

2.03. *The Manufactured Home Rental Community Infrastructure Development Plan (IDP) Minimum Specifications*

A. Only 18" x 24" or 24" x 36" sheets will be acceptable and at a maximum scale of 1"-200' (1"= 100' preferred), or as approved by the Orange County Engineer. An index on the first sheet is required when more than two sheets are required for the IDP.

B. 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.

C. Dimensions, bearings and distances, of the proposed rental spaces.

D. 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. Examples of the required acknowledgments and certifications are as contained in the exhibits attached hereto.

E. 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.

F. The boundary of the Development indicated by a heavy line and described by bearings and distances.

G. Scale, length, 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 Public Works Division.

H. Deed record, name of owner, volume and page number of adjoining properties.

I. Dates of survey and preparation of IDP.

J. Identification code, location, description, and elevation of the USGS or appropriate benchmark used in the survey.

K. Front building setback lines. Back and side building set back lines by note.

L. Location of any City's corporate limit line or extra territorial jurisdiction line.

M. Vicinity map with street, ditches, general drainage flow directions to the ultimate outfall, city limits and ETJs, and other major land features.

N. 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.

O. 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.

P. 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.

Q. A surveyor's signature and seal on the IDP for certification.

R. 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.

S. Approvals by other regulatory and governing bodies, as required.

**2.04.** ***The IDP submission shall also include the following documents:***

A. A tax certificate showing that all taxes currently due with respect to the original tract have been paid.

B. Results of soils analysis certified by a qualified site evaluator (as defined by 30 TAC Chapter 285) for on-site sewage facilities (OSSF).

C. Engineering Design Construction Plans for roadway access to each rental space for fire and emergency vehicles.

D. 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.

E. The Engineering Report, as described in Article IV herein.

**2.05.** ***Inspection of Improvements Required.***

A. Construction of a proposed Manufactured Home Rental Community may not begin before the date the County Engineer approved the IDP. Periodic inspection of improvements may be required, as directed by the County Engineer.

B. If the County Engineer directs that a final inspection is required, it must be completed not later than the second business day after the date the County Engineer receives a written confirmation from the owner that the construction of the infrastructure is complete.

C. If the inspector determines that the infrastructure improvements comply with the IDP, then the County Engineer shall issue a Certificate of Compliance not later than the fifth business day after the date the County Engineer receives written confirmation from the owner that the infrastructure has been completed and in compliance with the IDP.

**2.06.** *Utilities.*

A. 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 Engineer. This requirement applies to:

1. A municipality that provides utility services;
2. A municipality owned or municipality 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.

2.07. *Timely Approval of Infrastructure Development Plans.*

A. 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 Engineer shall approve or reject the plan in writing.

B. 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.

## III.
## RESERVED FOR EXPANSION

## IV.
## ENGINEERING REPORT FOR MANUFACTURED HOME RENTAL COMMUNITIES

4.01. *Report: Preparation And Evaluation.* This report, which shall be signed, dated, and sealed by a licensed professional engineer registered in Texas, shall contain detailed and definitive information as stated in this Article IV.

4.02. *Water Supply Facilities.*

A. **Public Water Systems**

1. If the water supplier is a political subdivision of the state, 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.

2. 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 Resource 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.

3. 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.

**B Private Wells or Non-public Water Systems.**

1 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.

2 The results of the analyses shall be made available to the prospective property owners or renters.

**C Approval By All Entities Required Prior To County Approval.**

1 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.

**4.02. *Wastewater Disposal Facilities.***

**A. Centralized Sewerage Facilities.**

1. 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.

2. 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.

3. 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.

4. 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.

**B. On-Site Sewage Facilities.**

1. The engineering report shall include soils analysis results as required under the Orange County Regulations for On-Site Sewage Facilities.

**4.03.** ***Roadways.***

A. The Engineering Report shall include a description of roadways within the Community, and include information on the roadway cross section, pavement width and thickness, base thickness, subgrade treatment, material specifications, and other information as required in these Regulations. Plans and specifications for these improvements shall also be submitted to the County Engineer for approval prior to construction.

**4.04.** ***Signage Plan.***

A. A signage plan for the streets to be constructed, if any, is to be included that shows an overall street layout depicting the location and description of signage, signs and traffic control devices to be installed.

B. The traffic control devices will include street name signs, stop signs, yield signs, speed limit signs, directional controls, striping, and delineators, etc.

**4.05.** ***Traffic Impact Study.***

A. For Manufactured Home Rental Communities of 100 spaces or greater, the Engineering Report may, at the request of the County Engineer, be required to include a traffic Impact Study in accordance with the requirements of the City of Orange to assess the effects of additional traffic on existing and proposed transportation system.

**4.06.** ***Drainage.***

A. The Engineering Report shall include information on the Development and roadway drainage, culverts, conveyances, outfalls, and other information as required to properly convey storm water within an away from the Development.

B. Plans and specifications for these improvements shall also be submitted to the County Engineer for approval prior to construction.

**4.07.** ***Electronic Submission.*** A computer floppy disk or CM-ROM with a file in AutoCAD format (.dwg) of the layout of the lots and streets (to scale and with state plane coordinates) within the Development may be submitted for incorporation into the County-wide map.

## V.
## VARIANCE, EXEMPTION AND AMENDMENT

**5.01.** ***Discretionary Variances May Be Authorized Upon The Posting Of Sufficient Bond***

A. The Commissioners' Court of Orange County, Texas may, at its discretion, accept for filing, maps or plats, or other such documentation dedicating certain streets, roads and alleys to public use prior to the completion of the roadway improvements provided that the developer posts a good and sufficient bond or other guaranty as deemed appropriate by the County Engineer sufficient to insure completion of said streets, roads and alleys in accordance with the specifications set forth herein.

B. The bond to be posted shall be in an amount of not more than $10.00 for each lineal foot of streets or roads within such subdivision. The distances of the centerlines as set forth above shall be measured along the centerlines within the boundaries of the facility.

**5.02.** ***Exemption***

A. For purposes of this ordinance, any Manufactured Housing Community that was established, or otherwise in existence, prior to January16, 2001, the effective date of this ordinance, shall be deemed to be in compliance with the minimum standards relating to site location, vehicular access, water supply, sewage disposal, utility connections, storm drainage, site development and landscaping as specified in this jurisdiction.

B. Any Manufactured Housing Community qualifying for an exemption under this section shall cease to qualify for said exemption upon a material and substantial change to the site location, vehicular access, water supply, sewage disposal, utility connections, storm drainage, site development and landscaping. The determination as to whether or not a material change has occurred shall be at the discretion of the Orange County Engineer.

C. Nothing in this section shall excuse compliance with any other applicable law, rule or regulation promulgated by any federal, state or local governmental unit having jurisdiction over the Manufactured Housing Community existing under this Section.

EXAMPLE
TRAILER PARK

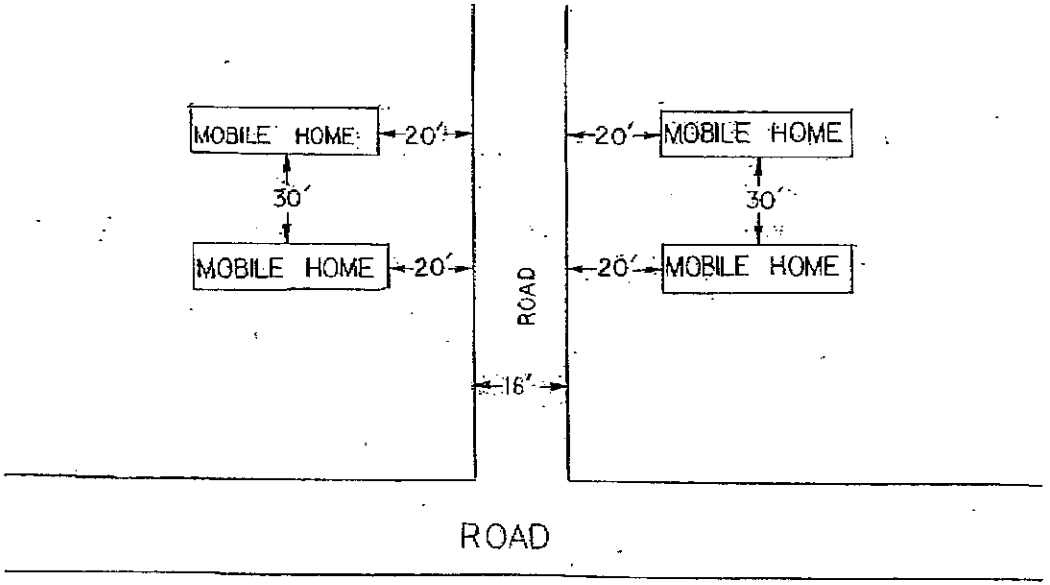



EXHIBIT "A"