



ORDER O-03-2020

**ORDER ADOPTING INFRASTRUCTURE REQUIREMENTS FOR
MANUFACTURED HOME & OTHER RENTAL COMMUNITIIES IN
ARANSAS COUNTY, TEXAS.**

THE STATE OF TEXAS §

ARANSAS COUNTY §

WHEREAS, the Commissioners' Court of Aransas County has the authority to regulate manufactured home rental communities pursuant to Texas Local Government Code, Section 232.007; and,

WHEREAS, the minimum infrastructure standards adopted are reasonable and necessary for the ingress and egress of emergency vehicles; and,

WHEREAS, the Aransas County Commissioners' Court is designated by the Texas Commissioner on Environmental Quality as the authorized agent for the licensing and regulation of on-site sewer facilities within Aransas County and these regulations are a necessary component of those regulations; and

WHEREAS, the Aransas County Commissioners' Court has the authority and obligation to exercise general control over the roads, bridges, drainage systems for the safety, health, and general welfare of the public; and

WHEREAS, the Aransas County Commissioners' Court has the authority and obligation to insure the health and safety of its citizens by assuring residential areas have an adequate supply of safe drinking water and safe sewer facilities pursuant to the Texas Health and Safety Code, Chapter 341, Subchapter C; and

WHEREAS, the Commissioners' Court recognizes that Aransas County has rental communities designed for dwelling units that are not HUD-regulated; and

WHEREAS, the Aransas County Commissioners' Court deems it necessary to adopt infrastructure standards in all rental communities to ensure the safety, health, and general welfare of the public; and

WHEREAS, Aransas County has adopted minimum infrastructure standards for land subdivision; and

WHEREAS, the minimum infrastructure standards adopted for rental communities are no more stringent than those standards adopted for land subdivision; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS' COURT OF ARANSAS COUNTY, TEXAS THAT THE FOLLOWING REGULATIONS BE ADOPTED:

SECTION I. – DEFINITIONS

EXISTING RENTAL COMMUNITY – A rental community that was permitted prior to the effective date of the Order adopting these regulations.

FIRE LANE - Interior roadways and/or driveways constructed to the minimum requirements to provide adequate egress and ingress for emergency response vehicles.

HOUSE TRAILER - A trailer designed for human habitation, including a park model as defined in this section.

MANUFACTURED HOME - A HUD-code manufactured home that has a label or decal issued by the U.S. Department of Housing and Urban Development and the Texas Department of Housing and Community Affairs permanently affixed to each section, industrialized housing that has a label or decal issued by the Texas Department of Licensing and Regulations permanently affixed to each module or modular component, or a mobile home. A manufactured home does not include a recreational vehicle, park model, or house trailer, as those terms are defined in this Order. Further, the term does not include a structure designed as a residence and constructed since June 15, 1976, that lacks a label or decal issued by the U.S. Department of Housing and Urban Development and the Texas Department of Housing and Community Affairs or by the Texas Department of Licensing and Regulations permanently affixed to each section, module, or modular component.

MANUFACTURED HOME RENTAL COMMUNITY – 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 uses and occupancy as residences.

INDUSTRIALIZED HOUSING - A residential structure that is designed for the occupancy of one or more families; constructed in one or more modules, or one or more modular components built at a location other than the home site; designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system; and that includes the structure's plumbing, heating, air conditioning, and electrical systems. Industrialized housing does not include a residential structure that exceeds three stories or 49 feet in height; housing constructed of a sectional or panelized system that does not use a modular component; or a ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.

MOBILE HOME - A structure constructed before June 15, 1976; transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on site is 320 or more square feet; built on a permanent chassis; designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and that includes the plumbing, heating, air conditioning, and electrical systems.

PARK MODEL - A trailer designed to be used for human habitation, with or without a permanent foundation, when connected to the required utilities, and that:

(A) is less than eight feet six inches in width and 45 feet in length in the traveling mode;

(B) includes the plumbing, heating, air conditioning and electrical systems; and

(C) is not required to be affixed with a label or decal issued by the U.S. Department of Housing and Urban Development and by the Texas Department of Housing and Community Affairs.

RECREATIONAL VEHICLE - A vehicle which is self-propelled or designed to be towed by a motor vehicle, but is not designed to be used as a permanent dwelling, and which contains plumbing, heating, and electrical systems that may be operated without connection to outside utilities. Examples include, but are not limited, to travel trailers, camper trailers, and motor homes.

RENTAL COMMUNITY - 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 prefabricated and/or transient dwelling units for uses and occupancy as residences.

SECTION II. – APPROVAL PROCESS

1) NEW RENTAL COMMUNITY APPLICATION REQUIREMENTS

- a) Site Development Plan:** A Site Development Plan shall show proposed improvements and illustrate compliance with County Orders and design criteria. A property owner wishing to create a rental community in the unincorporated areas of Aransas County shall submit a Site Development Plan to the County Engineer and the Director of Environmental Health for review and approval. The site plan shall be drawn to a standard engineering scale and detail all proposed improvements.

Design Layout Requirements:

- (1) A paved pad shall be constructed for each space to be rented or leased.
- (2) Pads shall have a minimum separation of 10-FT and a minimum pavement cross section of 6-inches of crushed limestone.

- (3) All points on the pad site shall be within 150-FT of a maintained public road or paved fire lane.
- (4) Paved fire lanes shall comply with the following minimum standards:
 - (a) 18-FT paved width (10-FT width for one way traffic)
 - (b) 6-in crushed limestone pavement
 - (c) Centerline curve radius of 40-FT
 - (d) Dead end fire lanes longer than 200-FT shall have a cul-de-sac with a minimum radius of 40-FT or other approved turn around.

b) Drainage:

- i) All rental communities shall comply with the Stormwater Management Design Criteria for Aransas County.
- ii) A rental communities that propose an increase of impervious cover less than 20% of the overall site area may request a Minimal Impact Exemption (MIE).
- iii) Developments not seeking a MIE shall prepare and submit for review:
 - (1) Drainage plan with drainage calculations that support a zero increase in stormwater runoff from existing conditions
 - (2) Water quality component that provides for the capture and treatment of the first 1-inch of rainfall over all proposed impervious cover areas.

c) Utilities:

- i) If public water and/or sewer is available, the proposed rental communities shall use the available public utilities.
- ii) If the rental community proposes to supply water service from one well to more than fifteen (15) units, rental community shall be considered a public water utility and operation of the water utility shall be as per TCEQ requirements.
- iii) Septic systems shall be designed and installed by licensed professionals. All on-site sewer facility designs shall be submitted to the Aransas County Environmental Health Department for approval, permitting, and future maintenance inspections as required.
- iv) New Development permits for rental communities shall only be issued upon either:
 - (1) The approval of the proposed OSSF by Aransas County Environmental Health;
 - or,
 - (2) Proof of access to public utilities from the utility provider.

d) Floodplain Order:

- i) All rental communities shall comply with the latest Aransas County Floodplain Management & Watershed Protection Order criteria.
- ii) All permanent structures in the rental community shall be built or placed according to the regulations adopted in the latest Aransas County Floodplain Management & Watershed Protection Order.

e) Tree Order:

- i) The development of rental communities is subject to the rules and criteria defined in the Aransas County Tree Order.
- ii) No Live Oak tree six (6”) inches or greater may be removed without an approved permit.

f) Driveway & Culverts:

- i) All driveways constructed over County right-of-ways shall be permitted through the Aransas County Road & Bridge Department and constructed to the County’s adopted standards.
- ii) All driveways constructed over State right-of-ways shall be permitted through the Texas Department of Transportation (TXDOT).

2) ADDITIONAL PERMITS REQUIRED

- a) Existing rental communities shall submit for additional permits when:
 - i) New rental spaces are added; or
 - ii) New units requiring tie-down certifications as per the latest Aransas County Floodplain Management & Watershed Protection Order are added and/or replaced.

SECTION III -

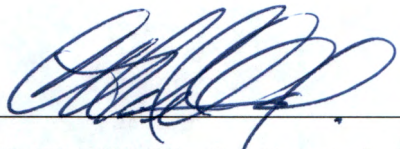
- 1) It is hereby declared to be the intention of the Commissioners Court that the sections, paragraphs, sentences, clauses and phrases of this Order are severable and, if any phrase, clause, sentence, paragraph or section of this Order should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clause, sentences, paragraphs and sections of this Order.
- 2) All Orders or parts thereof in conflict herewith are repealed to the extent of such conflict only.
- 3) Certification of Adoption

APPROVED BY: COMMISSIONERS’ COURT OF ARANSAS COUNTY, TEXAS

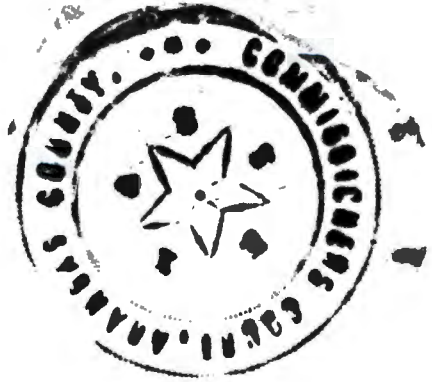
DATE:

ORDER BECOMES EFFECTIVE UPON ADOPTION

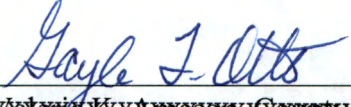
I, the undersigned, C.H. “Burt” Mills, Jr., do hereby certify that the above is a true and correct copy of an order duly adopted by the Commissioners’ Court of Aransas County, Texas, at a regular meeting duly convened on March 23, 2020.



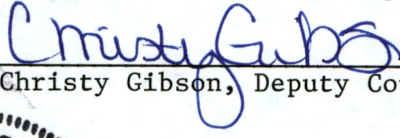
C.H. "Burt" Mills, Jr., County Judge



ATTEST:



~~Valerie K. Amazon, County Clerk~~
Gayle T. Otto, Chief Deputy County Clerk



Christy Gibson, Deputy County Clerk

