



**ORDER ADOPTING MINIMUM INFRASTRUCTURE STANDARDS FOR
MANUFACTURED HOME RENTAL COMMUNITIES IN
FANNIN COUNTY, TEXAS**

PREAMBLE

WHEREAS, the Legislature has enacted legislation, codified as Local Government Code, Sec. 232.007, subsection (a) through (h), which authorizes the commissioners court of a county to establish and adopt minimum infrastructure standards for manufactured home rental communities located in the county outside the limits of a municipality; and

WHEREAS, due notice was given of a meeting and public hearing to determine whether the Commissioners Court of Fannin County, Texas should establish and adopt minimum infrastructure standards for manufactured home rental communities in the County of Fannin, Texas; and

WHEREAS, said meeting and public hearing were held in accordance with the notice thereof, and the evidence and arguments there presented and were considered by the Commissioners Court of Fannin County, Texas; and

WHEREAS, the Commissioners Court of Fannin County, Texas finds that minimum infrastructure standards for manufactured home rental communities are desirable and necessary to provide for emergency vehicle access, adequate drainage, protection of the 100 yr. flood plain, adequate water and electric utility services, providing access to sanitary sewer lines or adequate on-site sewage facility (OSSF) and to ensure that these standards are provided prior to the connection of utilities to the manufactured home rental community or a manufactured home in the community; and

WHEREAS, the Commissioners Court of Fannin County, Texas has considered the matter and deems it appropriate to enact an Order adopting Rules providing minimum infrastructure standards for manufactured home rental communities in Fannin County, Texas

**NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF
FANNIN COUNTY, TEXAS:**

SECTION 1. THAT the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct;

SECTION 2. THAT an Order for Fannin County, Texas be adopted entitled “Minimum Infrastructure Standards for Manufactured Home Rental Communities,” which shall read as follows:

MINIMUM INFRASTRUCTURE STANDARDS FOR
MANUFACTURED HOME RENTAL COMMUNITIES

SECTION 3. CONFLICTS

All Orders or parts of the Orders of Fannin County, Texas not consistent with or in conflict with the provisions of this Order are hereby repealed.

SECTION 4. AREA OF JURISDICTION

This Order shall apply to all the unincorporated area lying in Fannin County, Texas.

SECTION 5. APPLICATION

This Order shall apply to Manufactured Home Rental Communities having two (2) or more spaces.

SECTION 6. DEFINITIONS

- (a) Business Day – A day other than Saturday, Sunday or a holiday recognized by the Commissioners Court.
- (b) Commissioners Court – The Commissioners Court of Fannin County, Texas
- (c) Manufactured Home Rental Community (MHRC) – 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 sixty (60) months without a purchase option, for the installation of manufactured homes for use and occupancy as residences.
- (d) Manufactured Home – a structure falling within the definition of manufactured housing as found in Section 5221f, Texas Civil Statutes Annotated.
- (e) Owner – the owner of property on which a Manufactured Home Rental Community is proposed to be located or a person authorized to represent the owner of said property.
- (f) Space – a plot of ground within a manufactured home rental community designed for the accommodation of one (1) manufactured home.
- (g) D.R. – Designated Representative of the Texas Commission on Environmental Quality.

SECTION 7. PROCEDURES

The owner of land who intends to use the land for a Manufactured Home Rental Community (MHRC) shall submit an application, as set out in Appendix A of this order, together with three (3) copies of an Infrastructure Development Plan (IDP) and supporting documents, to the Fannin County Director of Development Services.

The Director of Development Services and Commissioner in whose precinct the MHRC is located will review the IDP and supporting documents for compliance with the standards of this order. Not later than the 60th day after the date the plan is submitted, it shall be approved or rejected by the Commissioners Court. The Director of Development Services shall notify the owner in writing of the Commissioners Court action. If the plan is rejected, then the reasons for rejection shall be provided. Failure to reject the plan within the time period as prescribed in this section constitutes approval of the plan. If approved, one (1) copy of the approved plans shall be returned to the owner.

Construction of a proposed Manufactured Home Rental Community shall not begin until the owner is notified in writing that the Commissioners Court has approved the Infrastructure Development Plan.

Members of the Commissioners Court, Director of Development Services and other persons so authorized by the Commissioners Court shall be permitted access to the proposed MHRC for the purpose of inspecting the property for compliance with these Standards.

Final Approval

The owner shall provide a report to the Director of Development Services from the professional engineer responsible for the road construction and drainage plans submitted with the Infrastructure Development Plan (IDP) to certify that all work has been satisfactorily completed per the engineer's plans. This report shall be submitted prior to the owner requesting a final inspection.

The owner shall notify the Director of Development Services in writing or email to request a final inspection when the construction is complete. The Director of Development Services and Commissioner in whose precinct the proposed MHRC is located shall perform a final inspection of the proposed MHRC infrastructure to verify that the construction has been completed to comply with the approved IDP and minimum standards of this order. The final inspection shall be completed not later than the second business day after the date that the Director of Development Services receives the written request for the final inspection from the owner. If the final inspection is approved, then the Director of Development Services shall notify the Commissioners Court of this result and the Commissioners Court shall issue a Certificate of Compliance to the owner. The Certificate of Compliance shall be issued not later than the fifth business day after the date the final inspection is completed. If the final inspection results indicate that the IDP has not been carried out and/or the minimum standards of this order not complied with then the Director of Development Services shall notify the owner in writing as to the reason for the final inspection disapproval. The owner shall be given a minimum of thirty (30) days to make necessary corrections. Upon completion of the corrections, the owner shall reapply for a final inspection using the same procedure as noted for the original final inspection request

Certificate of Compliance Required

A utility may not provide utility services, including water, sewer, gas, and electric services to a Manufactured Home Rental Community or to a manufactured home in the MHRC unless the owner provides the utility with a copy of the Certificate of Compliance issued by the Commissioners Court.

SECTION 8. INFRASTRUCTURE DEVELOPMENT PLAN

Three (3) copies of an Infrastructure Development Plan (IDP) shall be submitted. The IDP shall be drawn on minimum 18" x 24" sheets, at a maximum scale of 1" = 200' and shall be prepared by a State of Texas licensed professional surveyor. An Infrastructure Development Plan (IDP) shall show the following information:

- (8a) Legal description, community name, acreage, vicinity map, scale, and north arrow.
- (8b) Property lines and boundary lines of the proposed development with distances and bearings noted and any significant features of the community.
- (8c) Name, address and telephone number of the owner and surveyor that prepared the plan, including the surveyor professional seal. Date of plan preparation shall be noted.
- (8d) Locations and dimensions of each space and area for off-street parking.
- (8e) Locations of any on-site rental office building(s) or other auxiliary buildings not associated with a resident manufactured home space.
- (8f) Layouts of existing and proposed streets, alleys, easements, parks and other public rights-of-way to include dimensions and bearings. Street names shall be noted.
- (8g) The location of the 100-year floodplain based on current FEMA FIRM maps and the base flood elevation. A note on the plan shall state the existence or non-existence of a special flood hazard area within the boundaries of the MHRC.
- (8h) A note stating all roads are privately maintained and are not the responsibility of Fannin County.
- (8i) A note stating "This development is a Manufactured Home Rental Community and is not approved for subdivision of land and/or subdivision platting".
- (8j) If the property being divided is on a Farm Road or State Highway, a letter from TxDOT stating the driveways meet or exceed TxDOT's requirements and the driveway permits can be obtained will be required.

IDP Shall Be Supported by the Following Documentation:

(1) Letters from an approved water and electric utility company certifying that they will provide utility service to the proposed Manufactured Home Rental Community

(2) A study to determine whether the proposed Manufactured Home Rental Community is suitable for the use of On-Site Sewage Facilities (OSSF). The study shall be performed per the rules and standards of the Texas Commission on Environmental Quality (TCEQ) for On-Site Sewage Facilities (OSSF). If sewer service is provided, a letter shall be provided to confirm provisions for such service.

(3) For On-Site Sewage Facilities, a sewage disposal plan prepared by a professional engineer or professional Designated Representative (D.R.) for the TCEQ shall be submitted. A separate permit is required from the County D.R. prior to installation of any On-Site Sewage Facility. The plan shall be prepared per the rules and standards of the Texas Commission on Environmental Quality for On-Site Sewage Facilities (OSSF).

(4) A drainage plan (two copies) prepared by a State of Texas licensed engineer to identify the drainage area and all drainage improvements to accommodate the runoff based on a 25-year storm frequency. The drainage plan shall include all of the area of watersheds that impact the Manufactured Home Rental Community. A ditch profile and typical section view and the size and location of all drainage culverts shall be provided. Methods for erosion control, both temporary and permanent, shall be specified by the engineer and included with the drainage plans.

(5) Street construction plans (two copies) shall be prepared by a State of Texas licensed engineer to show the plan for all streets within the Manufactured Home Rental Community. The plans shall note the street layout at a scale no larger than 1 inch = 50 ft. The street grades, elevations and a typical section view shall be provided. Drainage ditches and drainage structures within the right-of-way shall be shown along with typical section views of ditches. Plans shall comply with the minimum standards for street construction as provided in Section 9 of these Regulations.

(5) A utility plan to show the location of proposed water lines and any sewer lines.

(6) A Tax Certificate from the Fannin County Tax Assessors Office to certify that there are no delinquent taxes on the Manufactured Home Rental Community property.

SECTION 9. MINIMUM STANDARDS

Fannin County adopts the following minimum standards for Manufactured Home Rental Communities. An Infrastructure Development Plan shall comply with these standards.

(1) Roads and Streets

Roads and streets shall be constructed to the minimum standards of the Fannin County Subdivision Regulations for streets and roads (Exception: Asphalt surface treatment is not required.) Roads and streets shall be privately owned, built and maintained. Roads shall be designed for safe and convenient flow of motor vehicle traffic within the MHRC and from adjacent public streets and will provide ingress and egress access for fire and emergency vehicles to all spaces.

(1a) Right of Way

The minimum right of way width shall be sixty (60) feet.

(1b) Cul-de-sacs

Cul-de-sacs shall have a minimum right of way radius of fifty (50) feet and a base course of not less than thirty-five (35) foot radius. All dead end roads shall terminate in a cul-de-sac and no cul-de-sac shall exceed one-thousand five-hundred (1,500) feet in length between the center of the turnaround and the intersection of the cul-de-sac with another street or road.

(1c) Space Frontage

Each space in a MHRC shall abut an existing County maintained road or a street or road that meets the minimum standards for road construction as noted in this section and be provided with safe and convenient access to such roads.

(1d) Street Signs and Addressing

The MHRC owner shall be responsible for installing and maintaining street signs on private roads or other roads not maintained by the County and posting space addresses within the MHRC that conform to the current Fannin County Addressing Order adopted by the Commissioners Court. Addresses shall be assigned by the Fannin County 911 Addressing Coordinator. The MHRC owner shall be responsible for maintaining address identification for each space within the MHRC. Addresses shall comply with the Fannin County 911 Addressing Order.

(1e) Off-Street Parking

Each space shall provide a minimum area measuring 16 feet by 20 feet for off-street parking of resident motor vehicles.

(2) Water, Sewer and Drainage Facilities

A description and location of the water and sewer facilities that will be constructed or installed to serve the Manufactured Home Rental Community shall be provided.

Easements shall be provided as required by utility service providers. Drainage facilities shall be provided as necessary for improvements as specified by the engineered drainage plan. Any pre-existing easements on the property shall be noted on the Infrastructure Development Plan. The County may require additional drainage easements as deemed necessary for protection and drainage of existing County maintained and public roads.

(3) Drainage/Erosion Control

A Manufactured Home Rental Community shall provide adequate facilities for storm water runoff based on an engineered drainage plan for a 25-year storm frequency.

Vegetative growth shall be established to prevent soil erosion within the MHRC and to maintain the integrity of the drainage system. Temporary erosion control methods shall be provided during the construction phase of the development until vegetative growth and/or permanent erosion control facilities are established. Erosion control methods shall comply with generally accepted engineering standards and as approved by the Texas Department of Transportation.

(4) Utilities

An adequate supply of water shall be provided to a Manufactured Home Rental Community to serve each of the proposed spaces. Water supply systems shall comply with the Texas Health and Safety Code. Electric service shall be provided to serve each proposed space. Confirmation letters from approved utility companies to confirm that such services will be provided shall be required.

(5) Sewage Treatment and Disposal

On-Site Sewage Facilities (OSSF) serving a Manufactured Home Rental Community shall comply with the Fannin County Rules for On-Site Sewage Facilities and the rules adopted by the Texas Commission on Environmental Quality for On-Site Sewage Facilities. A separate permit(s) for an OSSF shall be obtained from the Fannin County D.R. The OSSF installation shall be inspected and approved by the County D.R. prior to issuing a Certificate of Compliance.

(5a) If sewage treatment is to be provided by a utility then a certification letter shall be provided from the utility company to confirm that such service will be provided and that adequate treatment capacity exists to service each of the proposed spaces.

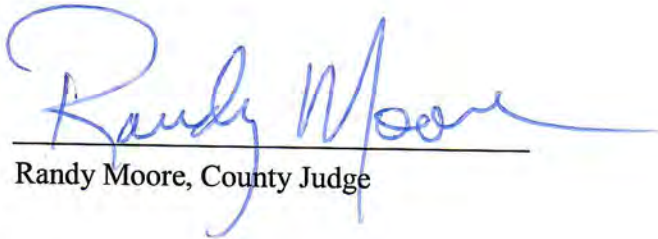
SECTION 10. VARIANCES / FEES

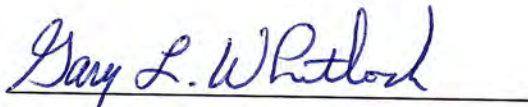
1. Variances/Amendments

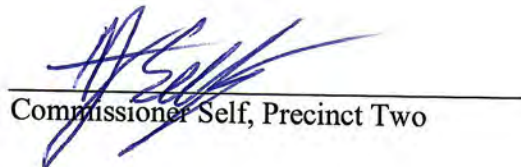
A request for a variance to this order shall be presented in writing, stating the nature of the request and justifications for a variance. The authority to hear and approve a variance request is vested in the Commissioners Court. No changes to a MHRC approved Infrastructure Development Plan are permitted except as approved through an amendment of the plans by the Commissioners Court.


2. Fees

The application fee for a Manufactured Home Rental Community shall be \$250.00. The fee shall be paid when the application for approval is submitted.


Randy Moore, County Judge


Commissioner Whitlock, Precinct One


Commissioner Self, Precinct Two


Commissioner Magness, Precinct Three


Commissioner Lackey, Precinct Four

Attest:


Tammy Biggar, County Clerk

