

RAINS COUNTY  
MANUFACTURED HOME RENTAL COMMUNITY  
REGULATIONS  
8/27/2020

# RAINS COUNTY

## MANUFACTURED HOME RENTAL COMMUNITY

The Rains County guidelines for approving Infrastructure Development Plans for Manufactured Home Rental Communities are based on CHAPTER 232 COUNTY REGULATION OF SUBDIVISIONS Statutes. Sec. 232.007 states that a Manufactured Home Rental Community (MHRC) is not a subdivision. The land is not subdivided into lots for sale therefore no plat is required. However, the developer must submit an Infrastructure Development Plan (IDP) to the Commissioner's Court for approval in lieu of a Plat.

Sec. 232.007 (a)(1) defines a "Manufactured home rental community" as the following:

"Manufactured home rental community" means 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."

Sec. 232.007 (2) defines a "business day other than a Saturday, Sunday, or holiday recognized by this state.

Sec.232.007 (2)(b) states that "A manufactured home rental community **is not a subdivision**, and Sections 232.001-232.006 do not apply to the community."

See the state statute Sec.232.007 for specific regulations regarding manufactured home rental communities. RAINS COUNTY MANUFACTURED RENTAL COMMUNITY Regulations adhere to these regulations.

### **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 previously been 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. Roads shall have a crushed stone or crushed concrete base with a minimum thickness of 6 inches. A two course chip-sealed waterproof surface is required or 2 inches of compacted oil sand. See Rains County Subdivision requirements for details.
  2. No space may contain more than one single family, residential unit, located no closer than forty feet apart to allow for access of emergency equipment. No



common driveway shall be allowed. Each space shall have separate and individual paved access.

3. A survey of the property shall be submitted prior to the request by the owner or builder of the Development for any permit and/or utility service.
4. The owner shall submit a letter of application which stipulates the intentions, name, address and phone number of the owner; names of water and electricity providers, and name of wastewater provider or an approval letter from Rains County designated representative as to type and usage of on-site sewage facilities to be utilized.

B. The Manufactured Home Rental Community **Infrastructure Development Plan (IDP)** shall show at a minimum the following:

1. The IDP submitted shall be submitted on 18" x 24" sheets of (3) mil polyester drafting film (in ink) at a maximum scale of 1"=200' (1"=100' preferred). An index on the first sheet is required when more than two sheets are necessary.
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, et.) on the property and any proposed street right-of-way, casement, alley, park, or other public dedication.
3. Dimensions, bearings and distances, of the proposed rental spaces.
4. Signatures and dates of approvals and certifications. 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 shall be indicted 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. Date 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. Locations of any city's corporate limit line or extra territorial jurisdiction line.
13. Vicinity map with streets, ditches, general drainage flow direction 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 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. A 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 State and County 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 and analysis certified by a qualified site evaluator (as defined by 30 TAC Chapter 282) 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 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 to achieve a 60 foot wide right-of-way, the owner shall dedicate these rights-of-way to the county.
- 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 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 letter or 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, or 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 operated under Chapter 67, Water Code, that provides utility services;
  5. A county that provides utility services;
  6. A special district or authority created by state law that provides utility services.

- F. **Timely Approval of Infrastructure Development Plans.** Rains County shall approve or reject an IDP no later than 60 days after the plan is submitted. Reasons for rejection of the plan shall be in writing as well as the action(s) necessary for approval. Failure to reject a plan within the 60 day period will constitute approval of the plan.
- G. **Fees:** The developer of the proposed manufactured home rental community shall submit the plat review and inspection fees as provided in Schedule 1 of the Rains 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 Commission on Environmental Quality TCEQ and include evidence of the CCN issuance for the development area. Prior to the IDP approval, plans and specifications for the proposed water facilities system shall have been approved by all entities having jurisdiction over proposed project, including TCEQ.
    - c. 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 TCEQ. 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, 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 facility 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 TCEQ.
- 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 TCEQ 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 TCEQ. 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.

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

- C. Roadways: The Engineering Report shall include a description of the roadways within the community and include information on the roadway cross section, pavement width and thickness, base thickness, material specifications and other information as required in these regulations. Plans and specifications for these improvements shall also be submitted to the county for approval prior to construction.
- D. Signage Plan: 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 signs and traffic control devices to be installed. The traffic control devices will include street name signs, stop signs, yield signs, speed limit signs, directional controls, striping and delineators, etc.
- E. Traffic Impact Study: The Engineering Report Traffic impact Study to assess the effects of additional traffic on the existing and proposed transportation system shall be required for Manufactured Home Rental Communities of greater than 50 spaces.
- F. Drainage: The Engineering Report shall include information on proposed drainage plan including but not limited to roadway drainage, culverts, conveyances, outfalls, settlement ponds and any other information required to properly convey storm water within and away from the development. Plans and specifications for these improvements shall also be submitted to the County for approval prior to construction.
- G. Electronic Submission: A file in AutoCAD format (.dwg) of the layout of the lots and streets to scale and with state plan coordinates; within the development shall be submitted for incorporation into the county-wide mapping and 911 systems.