

MANUFACTURED HOME RENTAL COMMUNITIES

1.0 ORDER

An Order superceding all other Orders establishing MANUFACTURED HOME RENTAL COMMUNITIES for property located in Kerr County outside the city limits of an incorporated or chartered municipality.

BE IT ORDERED and ADOPTED by the Commissioners Court of Kerr County, Texas:

1.01.1 AUTHORITY

Kerr County Commissioners' Court has established minimum infrastructure standards for Manufactured Home Rental Communities located in Kerr County outside the limits of a municipality pursuant to Section 232.007 of the Local Government Code. This order of the Kerr County Commissioners' Court shall apply to all new Manufactured Home Rental Communities and to all new areas constructed at existing Manufactured Home Rental Communities.

The owner of land located outside the city limits of a municipality who intends to use the land for a Manufactured Home Rental Community must have a Development Plan prepared that complies with the minimum infrastructure standards set forth below.

1.02 DEFINITIONS

- (1) **“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.
- (2) **“Business day”** means a day other than a Saturday, Sunday, or holiday recognized by this state.

- (3) “**Subdivision Regulations**” mean the Kerr County Subdivision Rules & Regulations adopted by Kerr County Commissioners Court as amended from time to time.
- (4) “**County Engineer**” means the individual designated from time to time by the Kerr County Commissioners Court to act and serve as the Kerr County Engineer.
- (5) “**Development Plan**” means a complete and exact plan for the infrastructure of manufactured home rental community including, but without limitation, the survey and all drawings and specifications required herein.
- (6) “**Certificate of Compliance**” means a Certificate signed by the Kerr County Judge on behalf of the Commissioners’ Court stating that infrastructure for a specific manufactured home rental community has been constructed in strict compliance with the approved Development Plan for such Manufactured Home Rental Community.
- (7) “**TNRCC**” means the Texas Natural Resources Conservation Commission.
- (8) “**Kerr County OSSF Rules**” means the Rules and Regulations of Kerr County, Texas for On-Site Sewage Facilities adopted by the Kerr County Commissioners’ Court on April 13, 1992, Order No. 20862, and as amended from time to time.

1.03 GENERAL

1.03.A. The Development Plan shall include written documentation to satisfy all items set forth under the Minimum Infrastructure Standards and the survey as set forth herein.

1.03.A.1. Form of Development Plan. The Development Plan shall contain the following written components:

- (1) A written drainage plan that complies with the provisions set forth in Section 1.04.A., contained herein; and
- (2) A written road plan for the manufactured home rental community that certifies compliance with the standards set forth in Section 1.04.B., contained herein; and
- (3) Written approval of water supply specifications as set forth in Section 1.04.C., contained herein; and
- (4) Written approval of waste disposal specifications as set forth in Section 1.04.D., contained herein; and
- (5) . Survey of the manufactured home rental community that complies with the provisions set forth in Section 1.04.E., contained herein.

1.03.B. Not later than the sixtieth (60th) day after the date the owner of a proposed Manufactured Home Rental Community submits a Development Plan for approval, the County Engineer shall approve or reject the Development Plan in writing. If the Development Plan is rejected, the written rejection must specify the reasons for the rejection and the actions required for approval of the Development Plan. The failure to reject a plan within the period prescribed by this subsection constitutes approval of the Development Plan.

1.03.C. Construction of a proposed manufactured home rental community may not begin before the date the County Engineer approves the Development Plan. The County Engineer or Commissioners Court may require inspection of the infrastructure during its construction and shall require a final inspection. The final inspection must be completed not later than the second business day after the date the County Engineer receives an affidavit from the owner of the manufactured home rental community that construction of the infrastructure has been completed in accordance with the approved Development Plan. If the County Engineer determines that the infrastructure complies with the Development Plan, the Commissioners' Court shall issue a Certificate of Compliance not later than the fifth (5th) business day after the date the final inspection is completed.

1.03.D. A utility may not provide utility services, including water, sewer, gas, and electric services, to a manufactured home rental community subject to an Development Plan or to a manufactured home in such community unless the owner provides the utility with a copy of the Certificate of Compliance. This subsection applies only to:

- a) a municipality that provides utility services;
- b) a municipally owned or municipally operated utility that provides utility services;
- c) a public utility that provides utility services;
- d) a nonprofit water supply or sewer service corporation organized and operating under Chapter 67, Texas Water Code, that provides utility services;
- e) a county that provides utility services; and
- f) a special district or authority created by state law that provides utility services.

1.04 MINIMUM INFRASTRUCTURE STANDARDS

1.04.A. Drainage The Development Plan shall include provisions for adequate drainage. To satisfy this requirement, the Development Plan shall comply with the same general requirements of Section 5.06 of the Subdivision Regulations as modified and set forth below:

1.04.A.1. Drainage facilities shall be provided and constructed in accordance with approved plans as required in these regulations. Drainage plans shall be prepared by a registered professional engineer experienced in hydrology analysis, and shall be signed and sealed.

1.04.A.2. Drainage facilities shall be designed to minimize any adverse impact to private property or public right of way either within or outside the proposed manufactured home rental community. The post-construction runoff rates at the point of flow leaving the new site shall be 50 or 75 or 80 percent of the pre-construction peak runoff rate for the two (2), ten (10) or one-hundred (100) year storms, respectively. Provisions must be made to assure that no adverse impact is made to existing drainage systems within public right of ways.

1.04.A.3. When a drainage channel or storm sewer is to be constructed, three (3) copies of the design complete with construction plans, profiles, and specifications shall be submitted. The plans shall show construction details, calculations showing the anticipated storm water runoff, including watershed area, percentage and velocity of runoff, and time of concentration. The storm drainage plan prepared to a scale of 200 feet to one (1) inch and with the same contours and scaled lot sizes as shown on the survey.

1.04.A.3.a. No pipe less than 18 inches in diameter or comparable flow area shall be used, including driveway crossings.

1.04.A.3.b. All road widths and grades shall be indicated, runoff figures shall be indicated on the outlet and inlet side of all drainage ditches and storm sewers, and at request of the County Engineer, at all points in the road at changes of grade or where the water enters another road or storm sewer or drainage ditch. Drainage easements shall be provided as necessary.

1.04.A.4. The developer shall prepare a storm drainage plan certified by a professional engineer. Three certified copies of this storm drainage plan shall be submitted and shall contain calculations showing anticipated storm runoff including water shed area, percentage, velocity of runoff, and time of concentration. This plan shall be prepared to a scale of 200 feet to (1) one inch and with the same contours and scaled space sizes as shown on the survey.

1.04.A.5. All runoff calculations and/or anticipated storm runoff shall be based on five (5) year frequency as established by standard engineering practices.

1.04.B. Roads The manufactured home rental community shall construct roads that meet the minimum infrastructure standards contained herein to provide ingress and egress for fire and emergency vehicles. To satisfy this requirement, the roads shall comply with the paved country lane specifications set forth in the Kerr County Subdivision Rules and Regulations as set forth below:

County Road Defined as:

A road under control and maintenance of Kerr County. Any county road constructed in a Manufactured home rental community shall be constructed to the standards set forth in the Kerr County Subdivision Rules and Regulations.

Private Road Defined as:

A road not under the control and maintenance of Kerr County.

1.04.B.1. Right of Way: All public right of ways shall be reasonably cleared of all impediments including boulders, stumps, trees, or any other debris. Selective clearing may be approved by County Engineer.

1.04.B.2. Cul-de-sacs: Cul-de-sacs right of way shall have a radius of not less than fifty (50) feet with a surface of forty (40) feet. A cul-de-sac shall be constructed at the end of any road in excess of 99 feet in length.

1.04.B.3. Minimum requirements for road design and construction within Manufactured Home Rental Community shall be as follows:

Paved Country Lane is a privately maintained road. It must be signed, "Privately Maintained Road." (See Kerr County Subdivision Rules and Regulations)

Minimum Cleared ROW-----	30'
Minimum crown of roadway-----	4"
Minimum shoulders width-----	2'
Minimum compacted depth of base material--	4"
Minimum base material width-----	20'
Minimum pavement width-----	16'
Minimum ditch depth-----	12"
Maximum allowable grade-----	12%
Minimum base material -----	Type C, Grade 2 or Caliche Grade 3

1.04.B.4. Road Signage: The owner shall present a sign placement plan and have it approved by the County Engineer prior to plan approval.

1.04.B.4.a. All road signs shall be furnished and installed by owner in accordance with the " Texas Manual of Uniform Traffic Control Devices" (MUTCD) issued by the Texas Department of Transportation.

1.04.B.4.b. Road signage shall be placed at each private road entrance to the manufactured home rental community stating "Privately Maintained Road". Signs shall be diamond shaped, minimum size 24",

yellow backing with black letters and installed in accordance with MUTCD.

1.04.B.4.c. Reflecting road name signs shall be furnished and installed by owner at all intersections within or abutting to the manufactured home rental community. Road name signs shall be 7' above road surface to the bottom of the sign on an approved metal post. Road name signs shall be made in accordance with the guidelines set forth in the approved Kerr County 911 Road Naming Guidelines, as may be amended.

1.04.C. Water Supply Specifications. The Development Plan shall include specifications and provisions for an adequate public or community water supply in accordance with Subchapter C, Chapter 341, Texas Health and Safety Code and applicable provisions set forth in Kerr County water availability requirements as set forth in Kerr County Subdivision Rules and Regulations.

1.04.C.1. Public or Community Water Systems:

- (1) If the person requesting approval proposes to utilize a new public or community water system, such system shall be developed in accordance with Subchapter C., Chapter 341, Texas Health and Safety Code and as defined by current rules and regulations of the Texas Natural Resource Conservation Commission 30 TAC Chapter 290. If the public or community water system will have more than 15 connections, the developer shall present to the Commissioners Court or its designee in satisfaction of the water supply specifications a letter or other document from TNRCC's Rate Analysis and Plan Review Team, Water Utilities Division approving the business plan and the plans and specifications of the proposed water system; if the proposed water system will have fewer than 15 connections, the developer shall present a letter from the HUWCD in satisfaction of these water supply specifications stating that the HUWCD has reviewed the plans and specifications for the proposed system along with any technical data required by the HUWCD and finds the proposed system adequate for its intended use.
- (2) If the developer proposes to utilize an existing public or community water system, the developer shall present to the Commissioners Court or its designee in satisfaction of these water supply specifications a copy of the executed agreement between the developer and the owner of such existing system for such water. If the total number of connections served by the community

water system as defined above is more than fifteen (15) and a letter from TNRCC's Rate Analysis and Plan Review Team, Water Utilities Division stating that the existing water system has sufficient capacity to service the additional connections shall be required.

- (3)_ Any existing wells not owned and utilized by the public or community water system shall be plugged in accordance with the applicable rules and regulations of the HUWCD.
- (4) All public or community water systems shall contain appropriate plumbing connections to allow fire trucks to connect to the water systems to with draw water in case of an emergency. The specifications for this connections is set forth in Appendix M of the Kerr County Subdivision Rules and Regulations.

1.04.D. Waste Disposal Specifications: The Development Plan shall include provisions for the effective and authorized treatment of wastewater. To satisfy this requirement, the Development Plan shall comply with the same requirements set forth in the Kerr County Subdivision Rules and Regulations as set forth below

1.04.D.1. Spaces Served By OSSF: All spaces to be served by OSSF shall have such OSSF installed in compliance with the Kerr County OSSF Rules and Regulations.

1.04.D.2. Spaces Served By Community Sewage Collection and Treatment Facilities: All Spaces to be served by community sewage collection and treatment Facilities shall have such system and facility plan approved by TNRCC and shall provide a letter approving such system and facility plan prior to final plat approval.

1.04.E Survey Requirements: The Development Plan shall include a survey of the proposed Manufactured Home Rental Community. To satisfy this requirement, the survey shall be prepared by a registered professional surveyor licensed in the State of Texas that shall include the following requirements:

1.04.E.1. Street names, road names, and addresses shall be approved by Kerr 911 according to their guidelines.

1.04.E.2 An accurate survey of the property, with reference to a patent survey lines and adjoining established subdivisions. The approximate acreage of the manufactured home rental community shall be shown.

1.04.E.3. The location, dimensions, names and description of all existing or recorded:

a) Roads, streets, alleys, reservations, easements or other rights-of-way within the manufactured home rental community, intersecting, or contiguous with its boundaries or forming such boundaries.

b) Structures, wells (water, oil or monitor), and septic systems.

1.04.E.4. The location, dimensions description and name of all proposed streets, alleys, parks, other public areas, reservations, easements or other right-of-way, blocks, and spaces within the manufactured home rental community

1.04.E.5 Date of preparation, scale of survey and approximate true north arrow.

1.04.E.6. Topographical information shall include:

(a) Contour lines at twenty-(20) foot intervals, based on NGVD 1929 datum. The County Engineer may require contour lines of five foot intervals based upon the drainage study and proposed residential density, and

(b) Delineation of all Special Flood Hazard areas as identified by the most current Flood Insurance Rate Maps published by the Federal Emergency Management Agency.

1.04.E.7 the survey will show the location of all utilities lines and utility easements set forth herein.

1.04.E.8. For manufactured home rental communities that lie within, all or part, of the one hundred (100) year flood plain, the survey must show the minimum finished floor elevations of each lot in accordance with the Kerr County Flood Damage Prevention Order.

1.04.E.9 The survey shall be on permanent reproducible mylar, 21 inches vertical and 26 inches horizontal with margins of not less than 1/2 inch. The survey shall be drawn at a scale of not more than 200 feet to one (1) inch. Where more than one sheet is necessary to accommodate the entire manufactured home rental community, an index sheet showing the entire community at an appropriate scale shall be attached to the survey.

1.04.E.10. Six (6)copies of the survey shall be submitted, together with one (1) reproducible mylar copy of the original, a digital copy in .DWG computer format (labeled with subdivision name); and shall also include the following certifications:

- a.) Developer's or Owner's Certificate of Ownership, and written consent of all lien holders.
- b.) Certification by a register professional engineer for accuracy of topography and drainage.
- c.) Certification by the Administrator of On-Site Sewage Facilities.
- d.) Certification by the Administrator of Headwaters Underground Water Conservation District.
- e.) Certification by the Flood Plain Administrator for Kerr County.
- f.) Certification by Kerr 911.
- g.) Certification by the Utility Companies verifying easements and utility layout.

1.04.E.11. Note on Status of Drainage Easements: Property owners may not utilize drainage easements for any purpose detrimental to their intended use. No objects, including but not limited to, buildings, fences, or landscaping, shall be allowed in a drainage easement except as approved by the County Engineer.

1.03.E.12. The minimum surveying requirements shall conform to the accuracy standards set by the "*Texas Board of Land Surveying 1992 Act*" except that in no case shall the requirements be less than the following:

a) The raw unadjusted angular error in the field survey shall not exceed fifteen seconds when multiplied by the square root of the number of angles in the traverse.

b) The boundary shall be adjusted, and the bearings shall be shown to the nearest 10 seconds and the lengths to the nearest .01 of a foot.

1.04.E.13. Certification by a Registered Professional Land Surveyor, registered in the State of Texas, to the effect that such plat represents a complete and accurate survey, and meets rules and regulations contained herein

1.04.E.14. A general location map of the manufactured home rental community showing the entire watershed (U.S.G.S. Quadrangle is satisfactory).

1.04.E.15. The survey shall contain the following note:
 " _____ (Owner), acknowledges and agrees that Kerr County shall have no obligations whatsoever to repair or accept maintenance of the roads

in this manufactured home rental community unless and until _____(owner) has brought the roads in the manufactured home rental community to meet the standards required by Kerr County as set forth in Kerr County Subdivision Rules and Regulations and Kerr County has accepted such roads by court order issued by Kerr County Commissioner's Court."