



AMENDED ORDER #O-03-2020

Infrastructure Requirements for Rental Communities in Aransas County, Texas

WHEREAS, Aransas County Commissioners' Court is the County Regulatory Authority for Manufactured Home Rental Communities pursuant to Texas Local Government Code, Section 232.007; and,

WHEREAS, Aransas County Commissioners' Court is the local permitting authority over on-site sewer facilities within Aransas County per Texas Commission on Environmental Quality; and

WHEREAS, Aransas County Commissioners' Court has general county authority relating to roads and bridges pursuant to Texas Transportation Code, Chapter 251, and to drainage on public roads pursuant to Texas Transportation Code Chapter 254; and

WHEREAS, Aransas County Commissioners' Court recognizes that Aransas County has rental communities designed for dwelling units that are not HUD-regulated and deems it necessary to adopt minimum infrastructure standards to assure the safety, health, and general welfare of lessees, tenants, and transitory occupants which shall apply to all new Manufactured Home Rental Communities and to new Similar Rental Communities—whether they consist of Manufactured Homes, Mobile Homes, House Trailers, Park Model Homes, Park Model RVs, Cabins, Portable Buildings, Cottages, Tiny Houses, Recreational Vehicles, Industrialized Housing Units, and/or any other housing units regardless of name, in any mix or combination—and to all new areas constructed at such existing Manufactured Home Rental Communities and Similar Rental Communities; and

WHEREAS, Aransas County has established such minimum infrastructure standards for rental communities located outside of city/town limits in Aransas County that are reasonable and necessary and consistent with the law, its jurisdiction, local government code, and the County's Subdivision Regulations.

NOW, THEREFORE, BE IT ORDERED and ADOPTED by the Aransas County Commissioners' Court:

SECTION I – DEFINITIONS

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.

Similar 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, such as Manufactured Homes, Mobile Homes, House Trailers, Park Model Homes, Park Model RVs, Cabins, Portable Buildings, Cottages, Tiny Houses, Recreational Vehicles, Industrialized Housing Units, and/or any other rental community housing units regardless of name, in any mix or combination.

Rental Community - a term that collectively applies to both a Manufactured Home Rental Community and a Similar Rental Community.

Existing Rental Community – A Manufactured Home Rental Community or Similar Rental Community that was permitted prior to the effective date of this Order.

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.

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.

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

Park Model Home/Park Model RV - A trailer, or a trailer-type RV, usually 10-12 feet wide, built on a single trailer chassis, designed to be used for human habitation, not exceeding 400 square feet in the set-up mode, with or without a permanent foundation, which includes the plumbing, heating, air conditioning and electrical systems and is primarily designed for a long-term or permanent placement where RVs (Recreational Vehicles) or mobile homes are allowed, when connected to the required utilities. Park Models/Park Homes are 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.

Cabin/Portable Building Home/Cottage – A small building, generally built on skids that is used for habitation, typically 800 square feet or less in size.

Tiny House – A dwelling that is 400 square feet or less in floor area excluding lofts, often about 8' 3" wide and built on a chassis or flatbed trailer which may or may not be portable.

Industrialized Housing - A prefabricated residential structure, such as a Manufactured Home or Modular Home, which includes the plumbing, heating, air conditioning and electrical systems, 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.

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. An RV. Examples include, but are not limited, to travel trailers, camper trailers, and motor homes.

RV Park – Also known as a Recreational Vehicle Park, a master planned facility designed for the temporary lodging of travelers in Recreational Vehicles (motor homes, 5th wheel trailers, and similar vehicles). It does not typically include manufactured homes, mobile homes, or structures not certified and licensed for roadway operation by the State of Texas but may. Typically, RV Parks offer short term lodging rental usually not

exceeding 3 to 6 months for travelers, tourists, and seasonal visitors; however, for the purpose of infrastructure requirements within Aransas County, an RV Park shall also be categorized as a Rental Community.

Fire Lane – Interior roadways and/or driveways constructed to the minimum requirements to provide adequate ingress and egress for emergency response vehicles.

SECTION II – APPROVAL PROCESS

1) NEW RENTAL COMMUNITY APPLICATION REQUIREMENTS

a) Site Development Plan

A property owner/developer wishing to create a Rental Community in the unincorporated areas of Aransas County shall submit a Site Development Plan to both the County Engineer and the Director of Environmental Health for review and approval. Once the Site Development Plan, On-site Sewage Facilities (OSSF) and, if needed, the Stormwater Plan are approved, the County can issue a Development Permit for construction and release temporary power. The Site Development Plan shall be drawn to a standard engineering scale and detail all proposed improvements. It shall show proposed improvements and illustrate compliance with County Orders and the following 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-in 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) Roads

1. All new Rental Communities will abut a paved road.
2. All new roads built to accommodate Rental Communities will conform to the standards set forth in the Aransas County Engineering Design Manual regardless if they are public or private.
3. In order to accommodate development of good roads, the property owner/developer may utilize the County's "Undeveloped Street Policy," whereby the County absorbs one-third of the cost per policy in force at the time of request.
4. Names of new roads are at the discretion of the property owner/developer but may not be similar in sound to existing names (so as not to confuse emergency personnel). Final approval of road names will be made by the Commissioners' Court.
5. All new Rental Communities that abut an existing County road having a right-of-way width less than sixty feet shall dedicate additional right-of-way along the road frontage of the subject lots to bring the total up to thirty feet from the centerline of the public road to the edge of the property boundary.

c) Drainage

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

d) Utilities

1. If public water and/or sewer is available, the proposed Rental Community shall use the available public utilities.
2. If a Rental Community proposes to supply water service from one well to more than fifteen (15) units, that Rental Community shall be considered a public water utility and operation of the water utility shall be as per TCEQ requirements.
3. 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.
4. New Development permits for Rental Communities shall only be issued upon either:
 - a. the approval of the proposed OSSF by Aransas County Environmental Health; or,
 - b. proof of access to public utilities from the utility provider.

e) Floodplain Order

1. All Rental Communities shall comply with the latest Aransas County Floodplain Management & Watershed Protection Order criteria.
2. 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.

f) Tree Order

1. The development of Rental Communities is subject to the rules and criteria defined in the Aransas County Tree Order.
2. No Live Oak tree six (6") inches or greater may be removed without an approved permit.

g) Driveway & Culverts

1. All driveways constructed over County rights-of-way shall be permitted through the Aransas County Road & Bridge Department and constructed to the County's adopted standards.
2. All driveways constructed over State rights-of-way shall be permitted through the Texas Department of Transportation (TxDOT).

2) EXISTING RENTAL COMMUNITY APPLICATION REQUIREMENTS

Existing Rental Communities shall follow 1) NEW RENTAL COMMUNITY APPLICATION REQUIREMENTS (above) and submit plans and permit applications when:

1. new areas are constructed; or
2. new rental spaces are added; or
3. new units requiring tie-down certifications as per the latest Aransas County Floodplain Management & Watershed Protection Order are added and/or replaced.
4. a Rental Community’s infrastructure is substantially damaged or substantially improved (costs exceed 50% of the value of the Rental Community, per Aransas County Floodplain Management & Watershed Protection Order)

SECTION III - SEVERABILITY

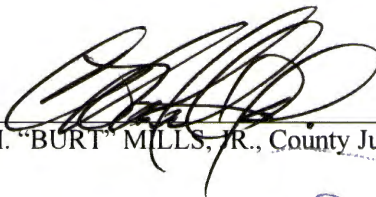
If any provision of this Order, or the application thereof to any person or circumstances, shall be held invalid or unconstitutional by a Court of competent jurisdiction, such provision shall be modified to the minimum extent necessary to make such provision valid and enforceable, and the remaining provisions shall be affected thereby to the least extent possible.

SECTION IV – CONFLICTING REGULATIONS OR ORDERS

This document amends Order O-03-2020 (March 24, 2020) and replaces Article II, Section N. of the Aransas County Subdivision Regulations (October 12, 2009).

SECTION V – EFFECTIVE DATE

Passed by vote July 13, 2020, and hereinafter has the effect of the law.



 C.H. "BURT" MILLS, JR., County Judge





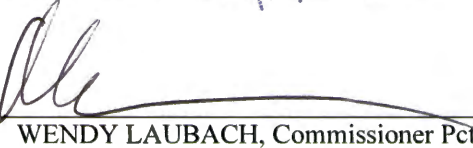
 JACK CHANEY, Commissioner Pct. 1



 LESLIE CASTERLINE, Commissioner Pct. 2



 CHARLES SMITH, Commissioner Pct. 3



 WENDY LAUBACH, Commissioner Pct. 4



 VALERIE K. AMASON, County Clerk

