



**CALLAHAN COUNTY
MANUFACTURED HOME
RENTAL COMMUNITY
REGULATIONS**

*Approved and Adopted by the Callahan
County Commissioners' Court
April 27, 2026*

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CALLAHAN COUNTY, TEXAS
MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS

REGULATING THE FILING FOR RECORD OF **MANUFACTURED HOME RENTAL COMMUNITY PLANS** AND OTHER REQUIREMENTS PERTINENT THERETO AND ESTABLISHING STANDARDS FOR DEVELOPMENTS SITUATED IN UNINCORPATED AREAS OF CALLAHAN COUNTY, TEXAS.

THE STATE OF TEXAS, COUNTY OF CALLAHAN, IN COMMISSIONERS' COURT OF CALLAHAN COUNTY, TEXAS.

Whereas, Callahan County has established standards and specifications for construction of roads and drainage, private sewage facilities and development within flood plains; and

Whereas, a "manufactured home rental community" is defined as 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 home for use and occupancy as residences; and

Whereas, the Commissioners' Court, empowered with the authority to formulate minimum standards has favorably received and voted on these standards, recommend that these regulations be adopted.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF CALLAHAN COUNTY, TEXAS AS FOLLOWS:

ARTICLE 1
GENERAL PROVISIONS

Every owner (herein after called "developer") of any tract of land without the corporate limits of any city in Callahan County, Texas (herein after "County") who develops a manufactured home rental community (herein after "Community") shall cause a plan to be made thereof which shall accurately describe all of said spaces or lots. Said plan shall be prepared in compliance with this ordinance and shall be submitted to the County for approval prior to developing said Community.

For areas located within a city's Extra-Territorial Jurisdiction (ETJ), a Development Plan may not be filed with the County without approval from both the County and the applicable City. If the proposed Development is within city limits, City approval is also required. In the event of a conflict between County and City requirements, the City's regulations shall take precedent, provided they do not conflict with state law.

In the event that the Development is sold for the purpose of developing a subdivision, the owner will be required to meet the requirements of the Subdivision Regulations of this County.

It shall be unlawful for any individual to cause any such Development to be undertaken unless and until the same shall have been approved by the County. With the inception of this Ordinance, no permit shall be issued by the County for the installation of septic systems on the Development for which a final plan has not been filed and approved.

ARTICLE 2
LEGAL PROVISIONS

2.01 – ENFORCEMENT

On behalf of the County, the County Attorney or other attorney may, when directed by the Commissioners' Court, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this Order or the standards referred to herein with respect to any violation thereon which occurs within the County's jurisdiction.

Unless another person is designated by the Commissioners' Court to review for approval or rejection of a plan filed under this Order, the Commissioner of the precinct in which a development is being undertaken shall be considered the designee of the County responsible for reviewing the plan for approval or rejection as set out in Texas Local Government Code 232.007.

In addition to any other remedy provided by law, the County and its officers have the right to enjoin any violation of this Order by any lawful procedure.

2.02 – CONFLICTING ORDERS

If any other County Order is in conflict with this Order, the most stringent rules will apply. Nothing will be permitted under the provisions of this Order that is in violation with another valid Order of the County.

2.03 – SEVERABILITY CLAUSE

If any provision of this Order or the application thereof to any person or circumstance is held invalid, the remainder of the Order and the application of such provision to their persons or circumstances shall not be affected thereby.

2.04 – PENALTY FOR VIOLATION

The Commissioners' Court of Callahan County, Texas, will appoint an employee of the Court or any other person or persons it so designates to review periodically those deeds or sales contracts being recorded in the County Clerk's Office to see that any development affected thereby shall comply with requirements of Chapters 232 and 233 of the Texas Local Government Code.

If deeds, contracts of sale, transfers of title, or other transactions do not comply with the plan requirements as set forth in this Order and in the State Statutes, the Commissioners' Court of Callahan County, Texas, or its representative can so notify the party selling or transferring title in whole or in part to comply with the said requirements.

In the event the said notified party refuses to comply with the requirements of the State Statutes, the Commissioners' Court can take appropriate action to obtain compliance. Any part violating any provisions of this order shall be guilty of a Class C Misdemeanor and each act of the violation shall constitute a separate offense.

2.05 – VARIANCE

In approving a variance, the County shall prescribe only conditions that it deems necessary or desirable to the public interest. In making its findings, the County shall take into account the nature of the proposed use of the land involved and existing uses of the proposed development and the probable effect of such variances upon traffic conditions and upon public health, safety, convenience, and welfare in the vicinity. No variance shall be

granted unless presented to the Commissioners' Court by the person designated for review of the plan, and approved by the Commissioners' Court upon a finding that:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of this Order would deprive the applicant of the reasonable use of his land; and
2. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area; and
3. That the granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this Order.

Such findings of the Commissioners' Court, together with the specified facts upon which such findings are based, shall be incorporated into the official minutes for the meeting at which the variance is granted. Variances may be granted only when in harmony with the general purposes of intent of the Order so that the public health, safety, and welfare may be secured, and substantial justice done. Pecuniary hardship to the developer, standing alone shall not be deemed to constitute hardship. No variance shall be granted as to required improvements.

ARTICLE 3 **PLANNING PROCEDURES**

3.01 – GENERAL

The following procedures shall be followed in the process of review and approval by the County.

3.02 – SUBMISSION OF MANUFACTURED HOME COMMUNITY PLAN

The Manufactured Home Community Plan will be deemed to have been submitted when it is delivered to the Office of County Judge. One (1) physical copy of the plan and one (1) electronic copy of the plan sent via email shall be submitted to the Office of the County Judge. One (1) copy of all other required documents and information shall be submitted electronically to the Office of the County Judge.

All submissions shall be accompanied by a Letter of Transmittal which shall include the name, address, and telephone number of the person who will be representing the request before the County and stating what action is being requested.

The County Judge shall promptly notify the designated person responsible for approving or rejecting the Manufactured Home Community Plan that a Plan has been submitted.

3.03 – APPROVAL OR REJECTION OF MANUFACTURED HOME COMMUNITY PLAN

Not later than the 60th day after the date the developer of a proposed Community submits an infrastructure development plan for approval, the County designee shall approve or reject the plan in writing. If the plan is rejected, written rejection of the plan must specify the reasons for the rejection and the actions required for approval of the plan. Failure to reject a plan with the period prescribed by this Order shall constitute approval of the plan.

3.04 – PLAN FEE

A Plan review fee of \$500 shall be paid at the time of submission of the Plan to the County Clerk's Office.

3.05 - CONTENTS OF THE PLAN

The Plan must include the following:

- Reasonable specifications to provide adequate drainage in accordance with standard engineering practices, including specifying necessary drainage and identifying areas included in the 100-year flood plain;
- Reasonable specifications for providing an adequate public or community water supply, including the location of supply lines, in accordance with Subchapter C, Chapter 341, Health and Safety Code;
- Reasonable requirements for providing access to sanitary sewer lines, including specifying the location of sanitary sewer line, or providing adequate on-site sewage facilities in accordance with Chapter 366, Health and Safety Code;
- A survey identifying the proposed manufactured home rental community boundaries and the features of the Development, including the proposed location of manufactured home rental community spaces, utility easements, and dedications of rights-of-way; and
- Reasonable specifications for streets or roads in the manufactured rental home community to provide ingress and egress access for fire and emergency vehicles.
- Proof of ownership of the property
- Name of the proposed development
- Signed Tax Certificate showing all taxes are currently paid on the property to be developed
- Designated 911 Addresses
- Acreage of the development
- Location, size, and proposed use of all easements required for the proper drainage and/or utility service.
- Boundaries of incorporated city limits and/or ETJ's and a statement that "this property is/is not located within the municipal limits or ETJ boundaries of any city.
- Statement of how utilities will be provided to the Community, including names of utility companies (i.e. water, sewer, power, internet, etc.), and if applicable, a statement disclosing onsite generation.
- Statement identifying trash disposal service
- Water supply certification
- Certificate of Surveyor
- Certificate of Road Maintenance
- Permit to Construct Access Driveway Facilities on County Road Right-of-Way
- If adjacent to a state-maintained road, a sign-off from Texas Department of Transportation for road access.
- A Receipt from the County showing the Plan Fee has been paid.

EXHIBIT "A"

CALLAHAN COUNTY MANUFACTURED HOME DEVELOPMENT CHECKLIST

- _____ Name and address of Owner/Developer
- _____ Location Map
- _____ Specifications to provide adequate drainage
- _____ Specifications for providing adequate water supply
- _____ Requirements for providing proper disposal of sewage
- _____ Requirement for preparation of survey
- _____ Specifications for providing adequate ingress and egress
- _____ Name of proposed Development
- _____ Proof of ownership (Exhibit B1 or B2)
- _____ Tax Certificates
- _____ Address, which must be pre-approved by the 9-1-1 Coordinator
- _____ Acreage of Development
- _____ Description of drainage for Development
- _____ Statement related to ETJ's
- _____ Statements for utilities
- _____ Statement for trash disposal service
- _____ Water Supply certificate (Exhibit C)
- _____ Surveyor certificate (Exhibit D)
- _____ Road Maintenance certificate (Exhibit E)
- _____ Permit to construct access driveway (Exhibit F)
- _____ If applicable, statement from TXDOT
- _____ Plan Fee Receipt

EXHIBIT "B1"

**CERTIFICATE OF DEDICATION BY OWNER
(When the Owner is an Individual)**

**STATE OF TEXAS
COUNTY OF CALLAHAN**

KNOWN ALL MED BY THESE PRESENTS, that I _____, owner of
(Full Name of Owner)

_____ acres of land out of _____ Callahan
(Legal Description)

County, Texas, as conveyed to me by deed dated _____, and
(Date of Deed)

recorded in OPR Instrument # _____, Callahan County Record, DO HEREBY
develop _____ acres of land out of the above-described legal description in accordance with
the plan shown hereon, subject to any and all easements or restrictions heretofore granted.

WITNESS MY HAND, this the _____ day of _____, 20_____

Signature of Owner

NOTARY ACKNOWLEDGEMENT

**STATE OF TEXAS
COUNTY OF CALLAHAN**

BEFORE ME, the undersigned authority, on this day personally appeared
_____, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he/she executed the same for the purposes
and consideration therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of
_____, 20_____

(Seal)

NOTARY PUBLIC, State of Texas

EXHIBIT "B2"

**CERTIFICATION OF DEDICATION BY OWNER
(When the Owner is a Corporation)**

STATE OF TEXAS

COUNTY OF CALLAHAN

KNOWN ALL MEN BY THESE PRESENTS THAT _____, a
(Name of Corporation)

corporation organized and existing under the laws of the State of Texas, with its physical address
at _____, owners of _____ acres
of land out of the _____, in accordance with the plan
(Legal Description)

shown hereon, subject to any and all easements or restrictions heretofore granted.

IN WITNESS WHEREOF, THE SAID _____ has caused these presents to
(Name of Corporation)

be executed by _____, hereunto duly authorized, this the
(Name of Owner)

_____ day of _____, 20_____.

ATTEST: _____
(Owner/Title)

NOTARY ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF CALLAHAN

BEFORE ME, the undersigned authority, on this day personally appeared
_____, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he/she executed the same for the purposes
and consideration therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of
_____, 20_____

(Seal)

NOTARY PUBLIC, State of Texas

EXHIBIT “C”

**WATER SUPPLY CERTIFICATE
(Public Water Supply System)**

“No structure in this development shall be occupied until connected to the
_____, an approved water supply system.”
(Name of water company)

By _____

_____ Date

COUNTY PERMIT SECTION

_____, an approved public water supply system, has
(Name of water company)

adequate quantity to supply this subdivision and provisions have been made to provide service to each lot in accordance with the policies of the water supply system.

Name and Title of Office
Water Supply Company

_____ Date

**WATER SUPPLY CERTIFICATE
(Individual)**

“No structure in this subdivision shall be occupied until connected to an individual water well, the location of which have been approved by Callahan County.”

Signature of Project Engineer

_____ Date

Printed Name of Project Engineer

EXHIBIT "D"

CERTIFICATE OF SURVEYOR

STATE OF TEXAS

COUNTY OF CALLAHAN

KNOWN ALL MEN BY THESE PRESENTS, that I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this development complies with the survey related requirements of the Callahan County Manufactured Home Development Regulations and further certify that this plan is true and correctly made and is prepared from an actual survey of the property made under my supervision on the ground and that the corner monuments were properly placed under my supervision.

Signature of Registered Professional Surveyor

Date

Printed Name of Registered Professional Surveyor

Number: _____

EXHIBIT “E”

**CERTIFICATE OF ROAD MAINTENANCE
(When Roads are to be retained as Private Roads)**

“In approving this plat by the Commissioners’ Court of Callahan County, Texas, it is understood that all roads shown hereon are private roads and shall remain the property of the Sub-divider and/or subsequent owners of the property. The construction, repair, and maintenance of these roads and any associated drainage improvements will be responsibility of the Sub-divider and/or subsequent owners of the subdivision and will not be the responsibility of Callahan County.”

Signature of Developer

Date

Printed Name of Developer

EXHIBIT "F"

**CALLAHAN COUNTY
PERMIT TO CONSTRUCT ACCESS DRIVEWAY FACILITIES
FOR MANUFACTURED HOME DEVELOPEMENTS
ON COUNTY ROAD RIGHT-OF-WAY**

Developer: _____

County Road Number(s): _____

Physical Address of Development: _____

Telephone: _____ Email: _____

COUNTY COMMISSIONER AUTHORIZATION

I, _____ Commissioner Precinct # _____ of
(Name of Commissioner)

Callahan County, Texas, authorize _____,
(Name of Developer)

hereinafter called the Grantee, to (Re)Construct an access driveway on the County Road right-of-way abutting County Road(s) _____ in Callahan County, located at _____, subject to the following:

- 1) The Grantee is responsible for the culvert costs and installation.
- 2) Design of facilities shall be as shown on the sketch on Page 2.
- 3) All construction and materials shall be subject to inspection and approval by the County.
- 4) The County reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the County Road. Changes in design will be made only with approval of the County.
- 5) The Grantee shall hold harmless the County and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

- 6) The Grantee shall not erect any sign on, or extending over, any portion of the County Road Right-of-Way.
- 7) Vehicle service fixtures such as fuel pumps, fuel tanks, vendor stand, etc., shall be located at least twelve feet (12') from the right-of-way line to ensure that vehicles being serviced from these fixtures will be off the County Road.
- 8) Entrances must be constructed in such a way as to keep obstructions from being present in the right-of-way.
- 9) Mailboxes must be mounted on break-away stands and be located so that boxes may be serviced and used from off the pavement.
- 10) This permit will become null and void if the above-referenced driveway facilities are not constructed within six (6) months of the issuance.
- 11) The Grantee will contact the County Judge's and Commissioners' office at 325-854-5805 at least twenty-four (24) hours prior to beginning construction which is authorized by this permit.

Precinct Commissioner

Date

The owner hereby agrees to comply with the terms and conditions set forth in this permit for construction of an access driveway on the County Road Right-of-Way.

Signature or Owner/Developer

Date

Printed Name of Owner/Developer

SKETCH INSTALLATION

**CALLAHAN COUNTY
MANUFACTURE HOME RENTAL COMMUNITY
REGULATIONS ADOPTED BY THE CALLAHAN COUNTY
COMMISSIONERS' COURT**

Nicki Harle

Nicki Harle
County Judge

Ashley McGowen

Ashley McGowen
Precinct 1 Commissioner

Bryan Farmer

Bryan Farmer
Precinct 2 Commissioner

Tom Windham

Tom Windham
Precinct 3 Commissioner

Erwin Clark

Erwin Clark
Precinct 4 Commissioner

ATTEST:

MyLeah McNutt

MyLeah McNutt
Deputy County Clerk, Callahan County

