

ORDINANCE NO. {{item.sequential_number}}
(FY-24-29-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A RECREATIONAL VEHICLE PARK ON APPROXIMATELY 30.9 ACRES OF A 74.3-ACRE PROPERTY LOCATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NUMBER 14 IN THE CITY OF TEMPLE, TEXAS, AND ADDRESSED AS 16801 AND 16803 NE H.K. DODGEN LOOP; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, recreational vehicle (RV) parks are regulated under Chapter 31 of the City Code of Ordinances - per Section 31-3, “it shall be unlawful for any person to construct, operate, alter, or extend any recreational vehicle park within the corporate limits of the City of Temple unless they hold a valid Conditional Use Permit (CUP) per Sec. 3.5 of the Unified Development Code (UDC)”;

Whereas, the property is currently undeveloped, is zoned Agricultural, and the site is set back from the NE H.K. Dodgen Loop (Loop 363), along Elm Creek - the subject property is described as approximately 74.3 acres located in the Maximo Moreno Survey, Abstract No. 14, in the City of Temple, and addressed as 16801 and 16803 NE H.K. Dodgen Loop, Temple, Texas, and the applicant seeks a CUP to develop approximately 30.9 acres into an RV park;

Whereas, the proposed RV park would offer 150 pad sites for different classes of vehicles (either towed trailers or drivable models), as shown on the Site Plan, attached hereto and incorporated herein as Exhibit A;

Whereas, Chapter 31 limits density to seven RV spaces per acre of gross site area; since the applicants are proposing 150 site pads on approximately 30.9 acres, subject to the CUP for the RV park, a density of 4.85 spaces per acre would result, which is well below the density limit in the Code - the engineers propose that the project would be built out in two phases of 75 units each;

Whereas, the Site Plan shows a new segment of Middle Road to be constructed with this project that would provide access to NE H.K. Dodgen Loop - this would implement a proposed Community Collector alignment as shown on the Thoroughfare Plan;

Whereas, other access for both traffic flow and public safety may come from a street stub (shown as Drive H on the Site Plan) that would provide a side entrance if and when the adjacent property is developed - a subdivision plat will be required;

Whereas, Chapter 31 prohibits permanent occupancy at RV parks, and guests will be limited to stays of no more than six months - the Code also requires certain onsite amenities for the guests based on the overall density of the park;

Whereas, the proposed 150 RV pads will require 15 showers, 15 bathrooms, and 15 washers and dryers, which will be provided in the clubhouse building as shown on the Site Plan - a detailed floor plan will be reviewed with other building permits;

Whereas, on-site parking is distributed throughout the site and is shown by insets on the Site Plan - other amenities include a swimming pool, playground, outdoor games, and a dog park, with interconnecting walking paths throughout the site;

Whereas, at its July 15, 2024 meeting, the Planning and Zoning Commission (PZC) voted 7 to 0 to recommend approval, with the added condition of requiring a six-foot fence around the RV park and an eight-foot perimeter fence around the septic and drainage areas; and

Whereas, Staff recommends approval of the requested CUP to allow an RV park on approximately 30.9 acres of an approximately 74.3-acre property located in the Maximo Moreno Survey, Abstract No. 14 in the City of Temple, Texas, and addressed as 16801 and 16803 NE H.K. Dodgen Loop, subject to the following conditions, as amended by the PZC:

1. Requiring compliance with the Code of Ordinances, Chapter 31 – Recreational Vehicle Parks;
2. Requiring compliance with the Site Plan, attached to this Ordinance as Exhibit A;
3. Requiring approval of a subdivision plat, including but not limited to review of on-site septic designs, drainage and detention plans, traffic circulation, and applicable fire code;
4. Requiring a note to be added to the subdivision plat referencing this Ordinance;
5. Requiring construction of an alternate design (minimum of 41 feet at back-of-curb) for the connection to Middle Road shown as Drive E on the Site Plan, per the Subdivision Entrance Standards;
6. Requiring a minimum six-foot sidewalk along one side of Middle Road;
7. Requiring a floor plan for the clubhouse showing compliance with Chapter 31 to be submitted with the building permits;
8. Requiring a six-foot fence around the RV park and an eight-foot perimeter fence around the septic and drainage areas;
9. Minor variations to the Site Plan required due to topography, drainage, or other factors may be approved by the Director of Planning and Development during review of building permits; and
10. Significant modifications to the Site Plan will be subject to review and approval by the PZC and City Council.

Whereas, the City Council has considered these matters and deems it in the public interest to authorize these actions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: of the City Council approves the requested Conditional Use Permit to allow a recreational vehicle park on approximately 30.9 acres of an approximately 74.3-acre property located in the Maximo Moreno Survey, Abstract No. 14 in the City of Temple, Texas, and addressed as 16801 and 16803 NE H.K. Dodgen Loop, subject to the following conditions:

1. Requiring compliance with the Code of Ordinances, Chapter 31 – Recreational Vehicle Parks;
2. Requiring compliance with the Site Plan, attached to this Ordinance as Exhibit A;
3. Requiring approval of a subdivision plat, including but not limited to review of on-site septic designs, drainage and detention plans, traffic circulation, and applicable fire code;
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7. Requiring a floor plan for the clubhouse showing compliance with Chapter 31 to be submitted with the building permits;
8. Requiring a six-foot fence around the RV park and an eight-foot perimeter fence around the septic and drainage areas;
9. Minor variations to the Site Plan required due to topography, drainage, or other factors may be approved by the Director of Planning and Development during review of building permits; and
10. Significant modifications to the Site Plan will be subject to review and approval by the Planning and Zoning Commission and City Council.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any section, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such section, paragraph, sentence, clause, or phrase.

Part 5: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **1st** day of **August, 2024.**

PASSED AND APPROVED on Second and Final Reading on the **15th** day of **August, 2024.**

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney