

ORDINANCE NO. {{item.sequential_number}}
(FY-25-5-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A RECREATIONAL VEHICLE PARK ON APPROXIMATELY 29.00 ACRES LOCATED IN THE DAVID MEADOR SURVEY, ABSTRACT NUMBER 577 AND JOHN CUMMINGS SURVEY, ABSTRACT NUMBER 178 IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, GENERALLY LOCATED NORTH OF STATE HIGHWAY 36, AND IDENTIFIED AS BELL COUNTY TAX APPRAISAL DISTRICT IDENTIFICATION NUMBERS 130698 AND 193165; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant proposes to develop this property for a recreational vehicle (RV) park - the proposed RV park would be located on 20.66 acres along the north side of State Highway 36;

Whereas, a portion of the requested area is within City limits and the rest is subject to a pending annexation - the Conditional Use Permit (CUP) request and annexation have been scheduled to track together at the January 16, 2025 City Council meeting for first reading and public hearing;

Whereas, RV parks are regulated under Chapter 31 of the City's Code of Ordinances - as shown on the attached Site Plan (Exhibit A), the proposed park would offer 137 sites for guests, to be constructed in two phases;

Whereas, Phase I consists of 67 pads and Phase II would construct 70 more pads - a note on the Site Plan shows the breakdown in each phase of pull-through and back-in pads for either drivable RVs or towed travel trailers;

Whereas, Chapter 31 limits density to seven RV spaces per acre - calculating against 20.66 total acres, the resulting density is 6.63 spaces per acre;

Whereas, Chapter 31 also requires certain on-site facilities based on the capacity of the park - for 137 campsites, the code will require a minimum of 14 showers, 14 bathrooms, and 14 washers and dryers, and these facilities will be provided in the clubhouse building shown on the Site Plan;

Whereas, a detailed floor plan will be reviewed with the park building permits - on-site parking is distributed throughout the site and is shown by insets on the Site Plan;

Whereas, Chapter 31 requires a minimum of eight percent of the site to be reserved for recreational space; at 20.66 acres, the code requires 1.67 acres of recreational area, and 2.13 acres are provided - this is labeled on the Site Plan and includes the clubhouse, playground, pavilion, splash pad, and green space;

Whereas, a walking trail is provided that crosses from the proposed park and through area subject to a Corps of Engineer flowage easement that will restrict most development;

Whereas, Chapter 31 prohibits permanent occupancy, and guests will be limited to stays of no more than six months - a condition of this CUP will emphasize the requirement in Section 31-14(d) for a guest registry that will record dates of arrival and departure and identifying information for anyone staying overnight in the park;

Whereas, details should include license plate numbers for RVs or any privately-owned vehicles - the registry would be kept in the manager's office and would be available for inspection per Section 31-4, which grants authority to the Building Official, Fire Marshal, Code Compliance, or the County Health District to inspect the facility;

Whereas, the primary entrance to this RV park is via a widened entrance at State Highway 36 - the applicant has indicated that turn lanes will be constructed at the entrance, and that will be required as a condition of approval;

Whereas, the Site Plan also shows a secondary 20-foot-wide fire access lane to be used in case of emergencies - the current City code does not require a Traffic Impact Analysis (TIA) for either entrance or the proposed turn lanes; however, a TIA may be required by the Texas Department of Transportation for the highway entrance permit;

Whereas, Section 3.5 of the Unified Development Code (UDC) provides evaluation criteria for CUPs - additionally, the UDC allows the City Council to deny or revoke a CUP if it affirmatively determines that the issuance of the permit is:

- a. Incompatible with the surrounding uses of property; or
- b. Detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants; and
- c. Per UDC, Section 3.5.5, the Planning and Zoning Commission (PZC) may recommend, and the City Council may impose, additional conditions of approval.

Whereas, the City Council has discussed code revisions for RV parks that may be adopted in future code amendments - one recommendation is for a separate lot, at least 300 feet deep, to be located between the RV park and the public road;

Whereas, this project was designed while that recommendation was under consideration, and it partially meets the intent for a buffer zone for other businesses to face the highway - the entrance road is 195 feet long, as labeled on the Site Plan; however, the park boundary is not aligned parallel to the roadway, but instead angles away in both directions, leaving large triangular parcels;

Whereas, measuring to the midpoint of the boundary on either side shows a distance of 424 feet on the north side and 304 feet on the south side - the applicant intends to develop the frontage of State Highway 36 for commercial uses and has labeled that area on the Site Plan;

Whereas, members of the City Council have also expressed concern over the possible concentration of existing and future RV parks - a new evaluation factor will consider proximity to other comparable developments;

Whereas, the nearest approved RV park to this project is the Cedar Ridge Park campsite operated by the United States Army Corps of Engineers, located on the shore of Belton Lake (the straight-line distance to the campground is 0.5 mile, but the driving distance is 2.3 miles) - the Briar Flats RV Resort and Stables is located 1.2 miles away and 2.9 miles by road;

Whereas, at its January 6, 2024 meeting, the PZC voted 7 to 0 to recommend approval; and

Whereas, Staff recommends approval of the requested CUP to allow an RV park, with a Site Plan, subject to the following conditions:

1. Requiring compliance with the Site Plan, attached hereto and incorporated herein as Exhibit A;
2. Requiring a copy of the park rules to be included with this Ordinance, attached hereto and incorporated herein as Exhibit B, to include limitations on duration of stay as stated in the current City code;
3. Requiring compliance with Chapter 31 of the City's Codes of Ordinances, "Recreational Vehicle Parks":
 - a. Requiring a register in accordance with Section 31-14(d) that shall demonstrate compliance with the 180-day limitation on stays in Chapter 31 - the registry shall include identifying information on occupants, RVs, or other automobiles and shall be available for inspection by City Officials and Staff; and
 - b. Requiring an eight-foot-tall solid screening fence in accordance with Section 31-5(h) and buffering per Section 7.7 of the UDC;
4. Requiring approval of a subdivision plat, including, but not limited to, review of water supply, on-site septic designs, drainage and detention plans, traffic circulation, and applicable fire code;
5. Requiring construction of an alternate design entrance (a minimum of 41 feet at back-of-curb) for the connection to State Highway 36, per the Subdivision Entrance Standards;
6. Requiring turn lanes at the entrance to the RV park and entrance designs to be confirmed during review of the subdivision plat;
7. Requiring a 20-foot-wide fire access lane to be constructed for use by first responders during emergencies;
8. Requiring a note to be added to the subdivision plat referencing this Ordinance;
9. Requiring a floor plan for the clubhouse showing compliance with Chapter 31 to be submitted with the building permits;
10. 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
11. Significant modifications to the Site Plan will be subject to review and approval by the PZC and the 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: The City Council approves a Conditional Use Permit to allow a recreational vehicle park on approximately 29.00 acres located in the David Meador Survey, Abstract No. 577 and John Cummings Survey, Abstract No. 178 in the City of Temple, Bell County, Texas, generally located north of State Highway 36, and identified as Bell County Tax Appraisal District Identification Nos. 130698 and 193165, subject to the following conditions:

1. Requiring compliance with the Site Plan, attached hereto and incorporated herein as Exhibit A;
2. Requiring a copy of the park rules to be included with this Ordinance, attached hereto and incorporated herein as Exhibit B, to include limitations on duration of stay as stated in the current City code;
3. Requiring compliance with Chapter 31 of the City's Codes of Ordinances, "Recreational Vehicle Parks":
 - a. Requiring a register in accordance with Section 31-14(d) that shall demonstrate compliance with the 180-day limitation on stays in Chapter 31 - the registry shall include identifying information on occupants, recreational vehicles, or other automobiles and shall be available for inspection by City Officials and Staff; and
 - b. Requiring an eight-foot-tall solid screening fence in accordance with Section 31-5(h) and buffering per Section 7.7 of the Unified Development Code;
4. Requiring approval of a subdivision plat, including, but not limited to, review of water supply, on-site septic designs, drainage and detention plans, traffic circulation, and applicable fire code;
5. Requiring construction of an alternate design entrance (a minimum of 41 feet at back-of-curb) for the connection to State Highway 36, per the Subdivision Entrance Standards;
6. Requiring turn lanes at the entrance to the recreational vehicle park and entrance designs to be confirmed during review of the subdivision plat;
7. Requiring a 20-foot-wide fire access lane to be constructed for use by first responders during emergencies;
8. Requiring a note to be added to the subdivision plat referencing this Ordinance;
9. Requiring a floor plan for the clubhouse showing compliance with Chapter 31 to be submitted with the building permits;
10. 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
11. Significant modifications to the Site Plan will be subject to review and approval by the Planning and Zoning Commission and the 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, or phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in 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 **16th** day of **January, 2025**.

PASSED AND APPROVED on Second and Final Reading on the **6th** day of **February, 2025**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Liz Caraway
Deputy City Secretary

Kathryn H. Davis
City Attorney