

**ORDINANCE NO. 03-02-22**

**AN ORDINANCE OF THE CITY OF COOPER, TEXAS, REGULATING RECREATIONAL VEHICLE PARKS TO PROVIDE RESTRICTIONS ON OPERATION OF RECREATIONAL VEHICLE PARKS IN THE CITY OF COOPER; AND SETTING AN EFFECTIVE DATE.**

**WHEREAS** the City Council has determined that the occupancy of recreational vehicles as a dwelling should be restricted to temporary use at a construction site during construction of a dwelling and to Recreational Vehicle Parks in the City of Cooper and that the Mobile Home Ordinance should be amended to so provide; and

**WHEREAS**, the City Council deems it in the best interest of the citizens to amend ordinance No. 1503 as provided herein;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS:**

**SECTION 1. General**

1. 1 Pursuant to Texas Local Government Code 232.007, Recreational vehicle rental communities or parks refers to any 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 installation or placement of recreational vehicles, or use and occupancy as residences. Owners that desire to utilize property for recreational vehicle rental communities or parks must submit a Development Plan for consideration and approval by the Planning and Zoning Commission and the Planning and Zoning Commission shall, after hearing and deliberation submit the Development Plan to the City Council for final approval.

1. 2 Definitions: a. Recreational vehicle rental communities or parks: is a master planned facility designed for the temporary lodging of travelers in Recreational Vehicles, Motor homes, 5th wheel trailers, and similar vehicles but not including mobile homes, manufactured homes or structures not certified and licensed for roadway operation by a state.

**Section 2: Fee Schedule**

2. 1 Prior to consideration and/ or approval of any Development Plan for a recreational vehicle rental community or park, all applicable fees shall be paid by the Developer to the City of Cooper and a receipt shall be included with the submittal. The fee has been established by the City to defray all costs associated with, but not limited to, the review, inspection, maintenance, and filing of Development Plan and documents associated with the development, or any part thereof. The fee for a Development Plan shall be \$150.00 plus \$10.00 per lot.

### **Section 3: Development Plan Requirements**

3.1 The Owner of a plot or tract proposing to develop a recreational vehicle rental community or park is required to submit an Infrastructure Development Plan showing a survey of the proposed boundaries and significant features such as, but not limited to: lots, tracts, roads, community spaces, utility easements and rights-of-way dedications.

3.2 Each of the hookup locations shall be no closer than 40 feet from the any other hookup location. Only one recreational vehicle is allowed per hookup. All recreational vehicles must maintain a minimum of 10 feet from all other recreational vehicles or structures, on all sides, even when slide-outs or canopies arc extended. Layout of park must be designed to accommodate this requirement.

3.3 The Infrastructure Development Plan shall include infrastructure improvements for lots, easements, storm water discharge, roads, drainage and storm sewer, public and private sewer systems, and water in accordance with the standards as set forth by City of Cooper Subdivision Regulations

3.4 Roads or streets for recreational vehicle rental communities must meet all City Road standards, including width and road compaction. With approval of City Council, the developer is not required to meet the paving requirements and the developer may provide a one-way road, provided the road is a looping road with a minimum width of 20 feet. All two-way roads must be a minimum width of 24 feet.

3.5 Any on-site septic systems shall be designed by a licensed certified engineer and conform with City and TCEQ requirements.

### **Section 4: Development Plan Processing**

4.1 No later than the 30th day after the date the owner submits a complete Development Plan to City of Cooper, the Planning and Zoning Commission shall approve or reject the plan in writing. If the plan is rejected, the written rejection will specify the reasons for the rejection and the actions required for approval of the plan. The failure by the Planning and Zoning Commission to reject the plan within the 30-day period will constitute an approval of the Plan. The action of the Planning and Zoning Commission shall then be reviewed by the City Council for final action. Construction of a proposed community or park may not begin before the City Council by resolution approves the Infrastructure Development Plan.

4.2 The City Council may require inspection of the infrastructure during or on completion of its construction. A final inspection is required and must be completed no later than the tenth business day after the date the City receives written confirmation from the owner that the construction of the infrastructure is complete.

4.3 If the City's designated inspector determines that the infrastructure complies with the Infrastructure Development Plan, the City shall issue a Certificate of Compliance no later than the 30th business day after the date the final inspection is completed.

4.4 A utility may not provide utility services, including water, sewer, gas and electric service, to a recreational vehicle rental community or park subject to an Infrastructure Development Plan unless the owner provides the utility with a copy of the Certificate of Compliance issued by the City of Cooper. This applies only to: a. a municipality that provides utility services; b. a

municipality 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, Water Code, that provides utility services; e. a county that provides utility services; and f. a special district or authority created by the state law that provides utility services.

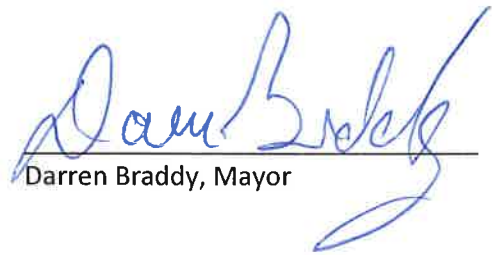
**SECTION 5.** The Mayor of the City of Cooper, Texas is hereby authorized to sign this ordinance, and to sign all instruments requisite in implementing this ordinance. Further, the City Secretary of the City of Cooper, Texas is hereby authorized to attest to the signature of the Mayor of the City of Cooper, Texas to said ordinance.

**SECTION 6.** That if any section, provision, subsection, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Cooper, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.

**SECTION 7.** That all ordinances or parts of ordinances in conflict herewith be and the same are hereby expressly repealed.

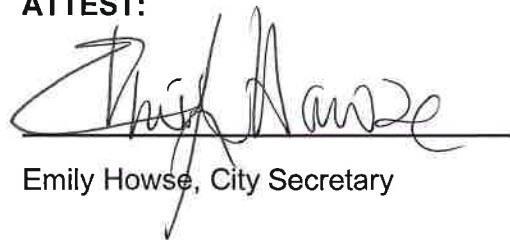
**SECTION 8.** This Ordinance shall be in full force and effect immediately after passage.

**PASSED AND APPROVED,** this the 14th day of February, 2022.



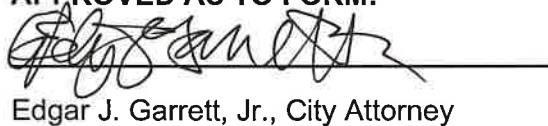
Darren Braddy, Mayor

**ATTEST:**



Emily Howse, City Secretary

**APPROVED AS TO FORM:**



Edgar J. Garrett, Jr., City Attorney