

ORDINANCE NO. 10-24-22

AN ORDINANCE AMENDING THE ZONING CODE OF ORDINANCES OF THE CITY OF MILFORD, IOWA REGARDING RECREATIONAL VEHICLE PARKS

WHEREAS, the Council (“Council”) of the City of Milford, Dickinson County, Iowa (“City”) is considering amendments to the City Zoning Ordinance.

WHEREAS, the amendment is to make changes regarding recreational vehicle parks as shown on the attached documents.

WHEREAS, the Planning and Zoning Commission has recommended approval.

WHEREAS, a public hearing was held at the October 24, 2022 regular meeting after notice and publication.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MILFORD, IOWA:

SECTION I. ENACTMENT: The Milford City Zoning Code is amended as shown in the attached document with changes shown as deletions ~~lined through~~ and additions underlined. This document is incorporated herein as if fully set forth. Other sections are only shown as a reference. However, only those changes shown by underline or ~~line through~~ are incorporated in this amendment. The amended sections include:

Section 2.1(113) added a definition of RV Park.

Section 2.23(ii) added a definition of RV Park.

Section 8.3 added recreational vehicle parks as a special exception use permit.

Section 8.4 removed recreational vehicle parks as A permitted accessory use.

Section 12.15 added language and removed language regarding RV Parks.

Section 12.16 modified recreational vehicle parks setbacks and RV accessory structures.

SECTION 2. REPEALER. All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. PUBLICATION. The City Clerk/Administrator is hereby authorized and directed to publish this Ordinance in a newspaper of general circulation in Dickinson County, Iowa in

conformance with Iowa law.

SECTION 5. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

WHEREAS, a motion was made at the October 24, 2022, regular meeting after public hearing by Councilmember Hinshaw and seconded by Councilmember Frederick to consider approval of this Ordinance (first consideration) and upon roll call the following vote was recorded: AYES: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. NAYS: None. Said motion to consider approval of this Ordinance (first consideration) was approved by the City Council;

WHEREAS, a motion was made at the October 24 2022, regular meeting by Councilmember Hoffman and seconded by Councilmember Hinshaw to waive the second and third consideration of this Ordinance and upon roll call the following vote was recorded: AYES: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard.; NAYS: None. Said motion to waive the second and third consideration of this Ordinance was approved by the City Council, and therefore, the second and third consideration of this Ordinance were waived;

WHEREAS, a motion was made at the October 24, 2022, regular meeting by Councilmember Eckard and seconded by Hinshaw to adopt this Ordinance and upon roll call the following vote was recorded: AYES: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. NAYS: None. Said motion to adopt this Ordinance was approved by the City Council. Thereupon, the Mayor declared this Ordinance, passed, and approved on the date shown below.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Milford, Iowa: This Ordinance is hereby passed and approved this 24th day of October, 2022.

Steve Anderson, Mayor

ATTEST:

LeAnn Reinsbach, City Clerk/Administrator

I, the undersigned, hereby certify that I am the duly appointed, qualified and acting, City Clerk/Administrator for the City of Milford, Iowa, and the foregoing Ordinance was duly adopted by the City Council of the City of Milford, on the 24th Day of October, 2022, and thereafter on the 3rd day of November, 2022, the same was published in the Dickinson County News, a weekly newspaper published in Dickinson County, Iowa.

LeAnn Reinsbach, City Clerk/Administrator

ARTICLE 2. DEFINITIONS

Article 2: Definitions/Use Classifications

Section 2.1. Definitions

Section 2.2. Use Classifications

Section 2.1. GENERAL ZONING DEFINITIONS

113. RV PARK: Any tract of land used for parking two or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purpose.

2.2.3. COMMERCIAL LAND USE DEFINITIONS:

Commercial use types include the sale, rental, service, and distribution of goods; and the provision of services other than those classified as industrial or civic uses.

- ii. RV PARK: Any tract of land used for parking two or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purpose.

Section 8.3. SPECIAL EXCEPTION USES.

Certain uses may be permitted in the (AC) Arterial Commercial District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses; and also subject to the provision of Articles 20 and 21 of this ordinance, and with approval of the Board of Adjustment:

| Commercial Uses | Civic & Public Uses | Industrial Uses |
|--|--|--|
| Agricultural Sales and Services Business or Trade School Cocktail Lounge Communication Services Construction Sales & Services Equipment Sales Equipment Repair Services Fireworks Display and Sale Health Care Facility Kennel, public or commercial Laundry Sales Liquor Sales Outdoor Entertainment Pet Services Research Services Service Station Vehicle Storage Veterinary Services Visitor Habilitation Wind Turbine <u>Recreational Vehicle Parks</u> | College & University Facility Convalescent Services Guidance Services Major Utility Facilities Pre-Kindergarten or Nursery School Educational Facilities Public Assembly Transportation Terminals | Custom Manufacturing Railroad Facilities Limited Warehousing |

Section 8.4. PERMITTED ACCESSORY USES.

The following accessory uses and structures shall be permitted.

- Essential services
- Private recreational facilities
- Private garage or carport
- Accessory parking lots.
- ~~Recreational vehicle parks~~
- Solar collectors' other energy producing devices intended for private residential use.
- Living quarters of persons employed on the premises and not rented or otherwise used as a separate building.

Section 12.15. SITE DEVELOPMENT PLANS FOR RV PARK.

All Development plans for RV Parks ~~new mobile home parks, mobile home park expansions, subdivision plats,~~ or any site plan where City review is required or requested shall be drafted by an actively licensed, professional civil engineer in the state of Iowa with the engineer's seal and certification stamped on any and all drafts presented to the City. The Developer shall reimburse the City for all review related expenses before any zoning compliance permits, sewer, digging permits or any other permit from the City will be issued.

Section 12.16. RECREATIONAL VEHICLE PARKS.

7) Setbacks. All RVs, together with their additions, and appurtenant structures, accessory structures, and other structures on the site (excluding fences) shall observe the following setback requirements (excluding any hitch or towing fixture):

- A. A minimum twenty-five (25) foot wide buffer yard shall be established along that portion of the RV park which adjoins a public road right-of-way. A minimum twenty (20) foot wide buffer yard shall be established along all other property lines.
- B. There shall be a minimum distance of five (5) feet between an individual RV unit and an adjoining interior RV park street.
- C. There shall be a minimum distance of five (5) feet between an RV unit and the interior line of a perimeter buffer.
- D. There shall be a minimum distance of ten (10) feet between RV units, and each RV unit's specific site's accessory structures. RV accessory structures shall only include: decks, patios, sheds and gazebos. ~~between an RV unit and unattached structures. Provided, this does not apply to unattached structures used as storage or accessory structures for individual sites.~~