

CHAPTER 69

69.32 OFF-STREET PARKING AND STORAGE OF VEHICLES IN RESIDENTIAL AREAS AND ON RECREATIONAL TRAILS.

1. Definitions.

For use in this section, the following terms are defined:

- **Maintained surface:** shall mean a surface consisting of asphalt, Portland cement concrete, turf blocks, brick pavers, gravel, or grass, provided that such surface is mowed, free of weeds, debris, or mud, and is capable of adequately supporting the parked vehicle. The surface must provide continuous coverage under the full undercarriage of the vehicle.
- **Front Yard Area:** shall mean all that area between the front property line and a line drawn along the front face or faces of the primary structure on the property and extended to the side property lines.
- **Hike/Bike Trail (recreational trails):** shall mean any trail constructed and maintained by the City of Independence for walking, biking, and other recreational purposes.
- **Motor Vehicle and Vehicles:** shall mean any motor vehicle as defined in Iowa Code Chapter 321.1, or other vehicles, including the following:
 - i. All-terrain vehicles
 - ii. Fifth-wheel travel trailer
 - iii. Motorized bicycle
 - iv. Motorcycle
 - v. Motor home
 - vi. Tractors or farm machinery
 - vii. Travel trailer
 - viii. Trailer
 - ix. Watercraft (any type)
- **Side Yard Corner Lots:** shall mean the yard area adjacent to the street right-of-way on a corner lot extending from the front yard along the side of the structure to the rear property line.
- **Side Yard:** shall mean the yard area adjacent to the residential structure, but not adjacent to the street right-of-way, extending from the front yard along the side of the structure to the rear property line.

- Habitation: shall mean a place in which to live, sleep, or dwell.
 - Recreational vehicle: shall mean a vehicular or portable unit designed to be mounted on a chassis and wheels, which either has its own motive power or is mounted on or drawn by another vehicle, such as travel trailers, fifth-wheel trailers, camping trailers, motor homes, or truck campers which may be used as a temporary dwelling or for sleeping.
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2. Prohibited Parking.

No person shall cause, undertake, permit or allow the outside parking and storage of vehicles on property used for residential purposes and/or on residentially zoned property unless it complies with the following requirements:

Front Yard and Side Yard (Corner Lots):

No more than forty percent (40%) of the total area of a front yard or a side yard on a corner lot may be used for the outdoor parking or storage of vehicles. All such vehicles must be parked or stored on a maintained surface. This includes grass or gravel, provided the area is mowed, free of weeds, debris, or mud, and can adequately support the vehicle.

Side Yards (Non-Corner Lots):

Parking of vehicles in side yards must be on a maintained surface and may not exceed forty percent (40%) of the total side yard area.

Rear Yards:

Parking for recreational vehicles, travel trailers, trailers, boats, snowmobiles, and other such recreational vehicles may occur on maintained grass or gravel surfaces in rear yards.

Recreational Vehicles:

Recreational vehicles may be parked on residentially zoned property without restriction on quantity, provided they comply with applicable yard and surface requirements outlined in this section.

1. Temporary Occupancy Permitted: A recreational vehicle may be temporarily occupied on a residentially zoned property for short-term stays such as weekends,

family visits, or seasonal use. Temporary occupancy shall not constitute or resemble full-time habitation and must not extend to permanent or continuous living.

2. Prohibited Full-Time Habitation: No person shall use a recreational vehicle as a permanent dwelling or establish it as their primary residence on any residentially zoned property, excluding designated and developed recreational parks.

Recreational Trails:

No person shall cause the parking of vehicles on any recreational trails.

3. Declaration of Nuisance.

The outside parking and storage of motor vehicles and vehicles, as defined above, on property used for residential purposes and/or residentially zoned property, in violation of the requirements set forth in this section, is declared to be a public nuisance because it:

- (a) obstructs views on streets and private property;
- (b) creates cluttered and otherwise unsightly areas;
- (c) prevents full use of residential streets for residential parking;
- (d) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood; and
- (e) otherwise adversely affects property values and neighborhood patterns.

Any violation of this section may be abated in the manner provided for in Chapter 50 of the Code of Ordinances or Chapter 657 of the Code of Iowa, or may be enforced under Chapter 4, Municipal Infractions, Code of Ordinances.

SECTION III. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. SEVERABILITY.

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

SECTION V. EFFECTIVE DATE.

This ordinance shall be effective after its passage and publication as required by law.