



Planning Board Agenda Packet

March 14, 2017

New Planning Board Member Orientation - 6:00 PM**Work Session - 6:30 PM****Call to Order - 7:00 PM**

- A) Pledge of Allegiance & Moment of Silence
- B) Announce Quorum Being Met
- C) Approval of Agenda
- D) Ask for Disqualifications

Approval of Minutes for February 14, 2017**Old Business****New Business**

- A) **PB 16-24 Blue Water Development Corp.** Requests an amendment to the Unified Development Ordinance to allow the expansion of existing campgrounds.
- B) Sign Ordinance Discussion

Announcements**Adjournment**



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1754)

Agenda Item Title

PB 16-24 Blue Water Development Corp.

Brief Description of Agenda Item:

Requests an amendment to the Unified Development Ordinance to allow the expansion of existing campgrounds.

Board Action Requested

Action

Person Submitting Agenda Item

Donna Voliva,

Presenter of Agenda Item

Donna Voliva



Currituck County

Planning and Community Development Department
Planning and Zoning Division
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 252-232-3055 FAX 252-232-3026

To: Planning Board
 From: Planning Staff
 Date: March 6, 2017
 Subject: PB 16-24 Blue Water Development Corp

The attached text amendment to the Unified Development Ordinance submitted by Blue Water Development Corp. initially was a request to allow private campgrounds in the Single Family Residential-Mainland (SFM) zoning district. After meeting with staff, the applicant modified the request to only allow the expansion of existing campgrounds subject to specific standards.

The current UDO does not allow private campgrounds as a principal use and the existing campgrounds are nonconforming uses that are allowed to continue but, expansions or intensification of the nonconforming use is not permitted by the UDO. The proposed language would allow existing campgrounds in the SFM zoning district to expand and increase the number of campsites to a total of up to five campsites per acre with a use permit. The existing campgrounds will continue to operate as a nonconforming use and new private campgrounds would not be permitted. There are four existing campgrounds in the county. Hampton Lodge Campground and Bells Island Campground are located in the SFM zoning district.

The applicant held a community meeting on February 6, 2017 at the Currituck Cooperative Extension building and discussed the proposed amendment and improvements to the Hampton Lodge Campground.

BACKGROUND

The 1982 Currituck County Zoning Ordinance did allow campgrounds but did not permit the expansion of the district which allowed the use.

The 1989 Unified Development Ordinance did not allow for the expansion of the zoning district that allowed campgrounds (RR). This restriction did not permit campgrounds created on property not zoned RR.

In 1992, a text amendment was approved that allowed the expansion of the RR zoning district when a property contained two zoning districts one of which was RR with a maximum overall density of 4.5 units per acre. The density was later increased to 5.5 units per acre.

In early 2011, a request was submitted to the county to allow new RR zoning districts to be created and was later withdrawn.

In 2013, the UDO specified campgrounds were nonconforming uses and could no longer be expanded.

Historically, campgrounds have been the source of many enforcement complaints such as recreational vehicles used as permanent dwellings and permanent additions being made to the temporary vehicles rendering many of them non-transportable.

The following campgrounds were considered existing in the county on January 1, 2013:

• Barnes Campground (Knotts Island)	Zoned SFI
• Bells Island Campground (Currituck)	Zoned SFM
• Hampton Lodge Campground (Church's Island)	Zoned SFM
• Sandy Point Resort (Knotts Island)	Zoned SFI

LAND USE PLAN CONSISTENCY

The UDO requires the Board of Commissioners adopt a statement of consistency and reasonableness that describes whether the decision on the amendment is consistent with county adopted plans that are applicable and why the decision is reasonable and in the public interest.

The 2006 Land Use Plan does not provide a direct policy statement relevant to this amendment or the expansion of nonconforming uses in general. With the potential expansion of the two campgrounds in the SFM zoning district, the following policy indirectly relates to the request and the potential expansion of existing campgrounds located in the SFM zoning district:

POLICY TR11: ACCESS TO HIGHER INTENSITY DEVELOPMENT shall generally not be permitted through an area of lower intensity development. For example, access to a multi-family development, a major park facility, or other large traffic generator shall not be permitted through a local street serving a single family residential neighborhood.

The following goal indirectly relates to the use:

Goal 3.4: Continue to expand the role tourism plays in Currituck County.

The existing campgrounds in the SFM zoning district are primarily located in the Limited Service Areas of the county. The policy emphasis states, “businesses located in these areas should be designed to serve the tourist industry such as small gift shops or agri-tourism related uses provided the character and intensity of the use is in keeping with the character of the surrounding area.”

RECOMMENDATION

Planning staff is concerned with allowing the proposed density expansion of campgrounds without providing adequate buffering and compatible site design with surrounding neighborhoods. The two existing campgrounds located in the SFM zoning district (Hampton Lodge Campground and Bells Island Campground) are located on local roads maintained by NCDOT that provide access through residential neighborhoods. The potential expanded campgrounds will allow for higher intensity development along the local roads. The applicant discussed added amenities to the site but, the increase in campsites permitted with the text amendment does not correlate to an increase in amenities or assurance of infrastructure improvements. Potentially, some of the nonconforming campgrounds could more than double their current capacity on local streets with minimal site improvements.

As proposed staff recommends denial of the proposed text amendment based on the following:

- The proposed language is not consistent and in conflict with the purpose and intent of the Land Use Plan by allowing the expansion and increase in intensity of the existing campgrounds in the SFM zoning district accessed by local roads through residential neighborhoods; and,
- The proposed text amendment is not reasonable and in the public interest by not providing adequate language that would reduce the potential impacts of expanded campgrounds in neighborhoods where the campgrounds exist and, the proposed language will not improve compatibility among uses for efficient development within the county.

PB 16-24
BLUE WATER DEVELOPMENT CORP

Amendment to the Unified Development Ordinance, Chapter 4: Use Standards, Chapter 8: Nonconformities, and Chapter 10: Definitions and Measurement. to provide standards for expanding existing campgrounds.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 1: That Chapter 4. Use Standards, Section 4.1.2. Use Table and 4.2.4.Commercial Uses are amended by adding the following underlined language, removing the strikethrough language, and renumbering accordingly:

TABLE 4.1.1: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan;
 CZ= Allowed in a Conditional Zoning District blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS)															
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O
COMMERCIAL USE CLASSIFICATION																	
Visitor Accommodations	Bed and breakfast inn			Z	Z		Z	Z	Z	Z	Z	Z			M P	M P	M P
	<u>Campground expansion, existing private</u>			U													
	Hotel or motel								Z		Z	Z			M P	M P	M P
	Hunting lodge		U					Z	Z	Z					M P	M P	M P

4.2.4. Commercial Uses

J. Visitor Accommodations

(2) Campground, Existing Private

New private campgrounds are not allowed as a principle use in Currituck County. The expansion of existing private campgrounds shall be subject to the following standards:

- (a) A Use Permit shall be obtained from the Currituck County Board of Commissioners before expansion of an existing campground may occur.
- (b) Existing non-conforming campgrounds may be expanded only after meeting the following improvements and performance criteria:
 - i. All existing units must be in compliance with the specifications outlined in this Section (4.2.4. Commercial Uses J. Visitor Accommodations) as determined by the Currituck County Planning and Zoning Department (Code Violations and Compliance).
 - ii. Bathhouse and toilet facilities must be provided and found to be in compliance with the specifications outlined in this Section (4.2.4 Commercial Uses J. Visitor Accommodations) as determined by the Currituck County Planning and Zoning Department (Code Violations and Compliance).
- (c) There shall be no single ownership of any campsite.
- (d) RVs, Campers and park model campers may not be modified in any manner that would render the unit non-transportable.
- (e) Campers and park model campers may not be placed on a permanent foundation.
- (f) Campgrounds shall not include permanent residences, excluding one dwelling unit to be occupied by the park caretaker, manager, or other employees.
- (g) Additions to campers are prohibited.
- (h) The maximum density of any expanded private campground shall not exceed five camper sites per acre.
- (i) Ownership of park model campers by an individual tenant is prohibited and such may only be occupied on a temporary basis and not as a place of permanent residence or domicile.
- (j) Manufactured and mobile homes shall be prohibited.

- (k) The temporary location of a tent on a campsite in a campground shall not require the issuance of a building permit.
- (l) No tent or camper shall be occupied for longer than a Season (March 1–November 15).
- (m) A minimum of 25 percent of the total development shall be provided as open space set-asides.
- (n) All roads shall be private.
- (o) Campgrounds shall be closed November 15 through March 1(a Season) except for special events and other community functions as allowed by Currituck County and after acquiring any and all necessary special event permits.
- (p) Campground amenities shall be required and provided for expanded campgrounds according to the following schedule:
 - i. Bathhouses shall be provided at a ratio of one shower for every 75 campsites
 - ii. Toilet facilities and bathhouses shall be located at a distance no greater than 500 feet radius and made accessible to all patrons of the campground.
 - iii. Recreational facilities shall be provided and include at a minimum one active playing field or court for every 300 units allowed; walkways or trails to connect the facility (handicap accessible trails shall constitute no less than 25 percent of any provided walkways)
 - iv. Amenities allowed will also include, but not be limited to, campground stores, restaurants, bars, marinas and pools.

Item 2: That Chapter 8. Use Standards, Section 8.2.6 Nonconforming Campgrounds is amended by adding the following underlined language and removing the strikethrough language:

8.2.6. Nonconforming Campgrounds

Private campgrounds are not allowed as a principle use in Currituck County, except when the requirements set forth in Section 4.2.4. Commercial Uses J. Visitor Accommodations are met. All existing campgrounds and campground subdivisions are nonconforming uses subject to the following standards (except when the requirements set forth in Section 4.2.4 Commercial Uses J. Visitor Accommodations are met) subject to the following standards:

A. General Standards

- (1) Camping is an allowed use of land only in existing campgrounds and campground subdivisions.
- (2) Campers may not be modified in any manner that would render the unit non-transportable.
- (3) No tent or camper RV may be located on a campsite or campground subdivision for more than 90 days a Season (March 1 through November 15).
- (4) Additions to campers are not permitted.
- (5) Modifications to existing campgrounds are permitted provided the changes do not increase the nonconformity with respect to number of campsites that existed on January 1, 2013. Expansions of existing campgrounds that existed on January 1, 2013 shall be permitted in accordance with the standards in Section 4.2.4.

B. Existing Campgrounds

- (1) Existing campgrounds may not be expanded to cover additional land area, or exceed the total number of campsites that existed on January 1, 2013. Expansions of existing campgrounds that existed on or before January 1, 2013 shall be permitted in accordance with the standards in Section 4.2.4.
- (2) Campers may not be placed on a permanent foundation. Park models may be allowed to have skirting, landscaping

and wooden access stairs/platforms as required by applicable building codes.

- (3) Campsites may have a wooden platform not to exceed 100 square feet. Platforms must be 12 inches or less in height from existing grade. Handicap ramps, and building code compliant access stairs are not subject to the maximum height requirement and square footage provided the ramp does not exceed five feet in width.
- (4) Campgrounds shall not include permanent residences, excluding one dwelling unit to be occupied by the park caretaker or manager.

Item 3: That Chapter 10, Section 10.5 Definitions is amended by adding the following underlined language and removing the strikethrough language:

CAMPER, PARK MODEL

A vehicular unit capable of obtaining a state motor vehicle license and which meets all of the following standards:

- a. built on a single chassis, permanently mounted on wheels and, 400 square feet or less interior floor area when set up for occupancy;
- b. shall not exceed 17 feet in height, and shall not contain living space below the first floor elevation;
- c. is designed to provide seasonal or temporary living quarters which may be connected to utilities necessary for installed fixtures and appliances;

CAMP SITE

A space within a campground used exclusively for camping purposes. Campsites shall be occupied on a temporary or seasonal basis only.

RECREATIONAL VEHICLE

A vehicle, which is:

- (a) built on a single chassis;

- (b) ~~100 square feet or less when measured at the largest horizontal projection;~~
- (c) designed to be self-propelled or permanently towable by a light duty truck; and,
- (d) designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational camping, travel, or seasonal use; and,
- (e) includes the terms:
 - (i) Camping trailer. The term "camping trailer" means a folding structure of canvas or other material mounted on wheels and designed for travel, recreation, and vacation use.
 - (ii) Motor home. The term "motor home" means a portable, temporary dwelling to be used for travel, recreation, and vacation constructed as an integral part of a self propelled vehicle.
 - (iii) Pickup coach. The term "pickup coach" means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
 - (iv) Travel trailer. The term "travel trailer" means a vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation, and vacation uses, and, when factory equipped for roads, it shall have a body width not exceed eight feet, and a body length not exceeding 32 feet.

Item 4: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 2017.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____ AYES _____ NAYS _____
.....

PLANNING BOARD DATE: _____
PLANNING BOARD RECOMMENDATION: _____
VOTE: _____ AYES _____ NAYS
ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____



Text Amendment Application

OFFICIAL USE ONLY:

Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information

APPLICANT:

Name: Blue Water Development Corp.
 Address: 10211 Ruffian Lane
Berline, MD 21811
 Telephone: 443-614-9122
 E-Mail Address: evanorden1@comcast.net cseawell@manteolaw.com

Request

I, the undersigned, do hereby make application to change the Currituck County UDO as herein requested.

Amend Chapter(s) 3, 4 Section(s) 3.4.2, 4.1.2 & 4.2.2 as follows:

This text amendment is to permit two classifications of private campgrounds as a permitted use in the Single-Family Residential-Mainland (SFM) District. A distinction is made between upgrades and improvements to an existing private campground and a new private campground. The suggested modifications are set forth in Exhibit "A" attached.

*Request may be attached on separate paper if needed.

By: Blue Water Development Corp.
 Petitioner

Date

11/22/14

EXHIBIT "A"

4.2.2 – Residential Uses**Private Campgrounds****1. Upgrades and improvements to existing Private Campgrounds**

Upgrades and improvements to existing private campgrounds are residential uses and shall comply with the following standards:

- A. There shall be no single ownership of any campsite.
- B. Campers may not be modified in any manner that would render the unit non-transportable.
- C. Campers may not be placed on a permanent foundation.
- D. Campgrounds shall not include permanent residences, excluding dwelling units to be occupied by campground caretaker, manager or other employees.
- E. Addition to campers are not permitted.
- F. No accessory buildings are permitted on individual campsites in the campground.
- G. Travel trailers, truck campers, camper trailers, motor homes, other licensed recreational vehicles, cabins and recreational park trailers shall conform to the following provisions:
 1. Up to 25% of the campsites in the campground may be occupied by recreational travel trailers or cabins. Such units must be owned by the campground owner.
 2. Ownership of recreational park trailers or cabins by an individual tenant is prohibited and such may only be occupied on a temporary basis and not as a place of permanent residence or domicile.
 3. No recreational vehicle, recreational travel trailer or cabin shall exceed one-story nor shall it exceed 17 feet in height. No such structure shall contain any living space below or any attic space or loft above the first-floor elevation.

4. Additions to recreational vehicles, recreational park trailers and cabins are prohibited in campgrounds.

H. The maximum density shall be 10 campsites per gross acre of the total property.

I. Manufactured and mobile homes shall be prohibited in private campgrounds.

J. Structures or buildings which serve as an amenity or are incidental or accessory to the operation of the campground in general may not exceed 2 stories or 45-feet in height.

K. The temporary location of a tent or recreational vehicle on a campsite in a campground shall not require the issuance of a building permit.

L. The location of a recreational park trailer or cabin on a campsite in a campground or the elevation of a recreational vehicle on a permanent foundation shall require the issuance of a building permit.

M. Every expanded or enlarged campground shall not have less than 25% of its total property devoted to open space and/or recreation as a common area.

N. All roads in the campground shall be private and will not be accepted by the North Carolina Department of Transportation for maintenance.

O. The campground will not be open from November 15 through March 1 of the following year.

2. New Private Campgrounds

New private campgrounds are residential uses and shall comply with the following standards:

A. New private campgrounds shall comply with conditional zoning approval requirements as set forth in Section 3.6 of the UDO.



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November 22, 2016

VIA e-mail

Mr. Ben E. Woody
Currituck County Planning Director

Re: Text Amendment

Dear Ben:

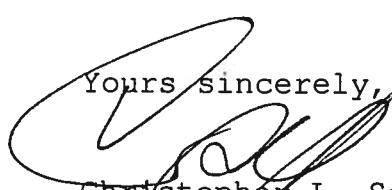
Enclosed please find a text amendment to the Currituck County Unified Development Ordinance. Included with this application is three hard copies of all documents, together with a PDF digital copy of all documents.

The applicant has signed a contract to purchase the Hampton Lodge Campground located in Waterlily, North Carolina. If the property is purchased, title will be taken in the name of Hampton Lodge Campground of Currituck, LLC. As you know, this property is currently operated as a non-conforming campground under the current UDO.

The current owner is Hampton Lodge Campground, L.L.C. Enclosed is a copy of the deed to the current owner, which is recorded in Book 178, Page 641, Currituck County Registry. You will notice the grantee in that deed is not the current owner. However, the current owner is a successor, though mergers and other changes, which did not require a new deed to be filed.

This property is composed of approximately four tracts. Enclosed is a diagram based upon the Currituck County Tax Department's information indicating the approximate boundaries of the various tracts of land that are referenced in the deed.

We look forward to receiving comments from your office with regard to this application.

Yours sincerely,

 Christopher L. Seawell

CLS/cah
Enclosures
Cc: Mr. Eric Van Orden

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Currituck County GIS Online Mapping

