

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: June 3, 2019

SUBJECT: Set Public Hearing for Land Development Code (LDC) Text Amendments (TX-2018-04) – RV Parks and Park Model Parks and Property Addressing Ordinance Amendments

PRESENTER: Autumn Radcliff, Planning Director

ATTACHMENTS: 1. Draft Text Amendments

SUMMARY OF REQUEST:

The Board of Commissioners (BOC) directed the Planning Board to review the requirements for RV (Recreational Vehicle) Parks which include park model parks. The Planning Board sent forth draft amendments last fall. The BOC tabled its discussion of the amendments and asked for the Technical Review Committee (TRC) and Planning Board to review the State standards and requirements for central holding tanks to make sure that was allowed, and to determine the appropriate density for these types of parks.

The TRC reviewed the item at its March 19th meeting and the Planning Board voted unanimously at its March 21st to send forward a favorable recommendation on the attached draft text amendments. The proposed text amendment includes:

- Amendments to the existing RV Park requirements such as: duration, density, buffer requirements, permanent structures such as storages buildings, porches or decks would not be permitted (covered picnic areas are allowed), requires a 50 feet setback from perennial streams, minimum road standards, and limits permanently placed park models to no more than 10% of the park. The amendment also clarifies allowed sewage disposal systems, standards for the park model spaces, and requires that RV's have a current tag, no underpinning and tires must be operational.
- The proposed Park Model RV Park use requires similar restrictions as those found in the traditional RV Park, but includes allowances for covered porches, decks and storage buildings, a minimum of 5 contiguous acres, a separation of 20 feet for fire safety, provide 2 parking spaces, 25% open space, and does not allow traditional RV's in these parks. The amendment also limits the allowed density for both RV Parks and Park Model RV Parks to no more than 10 sites per acre.
- Clarification to the Property Addressing Ordinance on the appeal process under G.S. 153A-239.1.

BOARD ACTION REQUESTED:

State law and the LDC require the Board of Commissioners to hold a public hearing prior to acting on a text amendment. Staff requests the Board set a public hearing for Wednesday, July 17, 2019 at 9:00 a.m.

Suggested Motion:

I move that the Board set a public hearing on the proposed Land Development Code Text Amendments (TX- 2018-04) on RV Parks and Park Model RV Parks, and the Property Addressing Ordinance Amendments for Wednesday, July 17, 2019 at 9:00 a.m.

Draft Text Amendments: Recreational Vehicle (RV) Parks and Park Model Recreational Vehicle (RV) Parks

Recommended changes are highlighted in red.

Amendment clarifications recommended by the TRC and Planning Board at the March meetings are in blue.

Issue: Questions and concerns have been raised with recent applications for new RV Parks as to the current standards. The Board of Commissioners directed the Planning Board to review these issues. The Planning Board discussed the draft amendments over several meetings and most recently at its March 21, 2019 meeting and recommended the following changes.

Text Amendment A: RV (Recreation Vehicle) Park

Recommendation: Amend the SR standards for RV Parks.

SR 4.15. Recreational Vehicle Park

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Perimeter Setback. Fifty (50) feet.
- (4) **Buffer. A B2 buffer is required per Table 5.2 Buffer Width and Plant Material Requirements.**
- (5) Recreational Vehicle Spaces. *Recreational vehicle* spaces shall be a minimum of 2,000 square feet and shall have dimensions no less than 40 feet by 50 feet. A *recreational vehicle* space may contain up to **two (2)** ~~four (4)~~ campsites for tent set-up. No *recreational vehicle* space is permitted in the ~~100-year floodplain~~ **floodway and in accordance with §42-235.2 (F).**
- (6) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: *recreational vehicle/park model home* spaces, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the use and enjoyment of *recreational vehicle park* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (7) Operations. The *recreational vehicle park*:
 - a. Shall provide rental spaces:
 1. For the location of *recreational vehicles*, ~~park model homes~~ and/or tent set-up,
 2. Which may contain an open or covered ~~porch~~ **picnic area** not exceeding 15 feet in height and not to exceed ~~400~~ **100** square feet in area, and
 3. Which have no point of direct access not indicated on the *site plan*, **and**
 4. **Which have no accessory storage structures, porches, or decks,**
 5. **Which are setback fifty (50) feet from perennial streams;**
 - b. May contain *structures* ancillary to the ~~use~~ **RV Park**;
 - c. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs; and
 - d. Shall provide, at the time of application, an evacuation plan for a natural disaster event.
 - e. **Shall be permitted one (1) designated fire pit.**

- (8) **Recreational Vehicles.** All recreational vehicles, excluding park models, must have a current tag, have no underpinning, and tires must be operational.
- (9) **Park Models.** A recreational vehicle park may contain park model RV's that are for overnight or seasonal accommodations. Only 10% of the RV Park spaces may contain a park model unit. Park models may contain an open or covered porch not to exceed 150 square feet. Park models shall not be located in the 100-year floodplain and must have a minimum separation of twenty (20) feet between units.
- (10) **Roads.** Roads located in the RV Park shall be a minimum of sixteen (16) feet wide for two-way roads or twelve (12) feet wide for one-way roads.
- (11) **Duration.** Recreational vehicles shall not be located in the RV Park longer than 180 consecutive days. The owner of the RV Park shall maintain the approved site plan of the park spaces and provide the County with a report to confirm duration requirement. Such report shall be submitted to the County annually or as requested to determine a violation status. A temporary use permit may be issued by the zoning administrator allowing for a longer duration period of select RV vehicles for the purpose of; FEMA related projects or other natural disaster relief, or for workforce housing related to a specific construction project.
- (12) **Solid Waste Collection.** The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (13) **Sewage System.** ~~Recreational vehicle/park model home spaces shall not be provided individual hookups to a septic tank, approved public or community sewage disposal system or municipal sewage disposal system; instead, a central dump station shall be provided for the use of all occupants. A recreational vehicle park shall connect to a municipal sewage disposal system when the system is located within a distance equal to the product of 50 feet multiplied by the number of spaces proposed for the recreational vehicle park. If a park is located more than 2,500 feet from an existing municipal sewage disposal system, such connection shall not be required.~~ A recreational vehicle park shall provide a sewage disposal system. All sewage systems must be approved by the applicable review agency.
- (14) **Common Area Recreation and Service Facilities.** Those facilities within the *recreational vehicle park* shall be for the sole purpose of serving the overnight guests in the *park*, and shall adhere to the development standards established in SR 4.6 (*Common Area Recreation and Service Facilities*).
- (15) **Density.** Recreational vehicle parks shall be allowed at density of ten (10) spaces per acre.

Text Amendment B: Park Model Recreational Vehicle Park

Recommendation: Add a new use to the LDC to allow Park Model Recreational Vehicle Parks. Add Park Model RV Parks to the permitted use table and add a new SR standard for Park Model RV Parks.

USE TYPE	GENERAL USE DISTRICT											
	P=Permitted; S=Special Use Permit											
	R1	R2	R2R	R3	R4	OI	MU	LC	CC	RC	I	SR
1. RECREATIONAL USES												
<i>Recreational Vehicle Park</i>	S	S	S	S	S		P	P	P			4.15
<i>Recreational Vehicle Park, Park Model</i>	S	S	S	S	S		S	S				4.16

SR 4.16 Park Model Recreational Vehicle Park

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Perimeter Setback. Fifty (50) feet.
- (4) Minimum Size. A park model RV park must be a minimum of five (5) contiguous acres.
- (5) Buffer. A B2 buffer is required per Table 5.2 Buffer Width and Plant Material Requirements.
- (6) Park Model Spaces. *Park model home* space shall be a minimum of 2,000 square feet and shall have dimensions no less than 40 feet by 50 feet, and have a minimum separation of twenty (20) feet between units. No *park model home* space is permitted in the 100-year floodplain or floodway.
- (7) Open Space. A minimum of twenty-five (25) percent of the project area must be designated as open space or *common area*. *Common area* shall be accessible for the use and enjoyment of *park* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (8) Park Model Units. Each individual park model unit:
 - a. May contain one (1) accessory storage structure not to exceed to 144 square feet;
 - b. May contain an open or covered porch or deck, which may be screened but not enclosed, and not exceeding 15 feet in height and not to exceed 400 square feet in area;
 - c. May provide underpinning;
 - d. Shall clearly display the space number as shown on the approved site plan for the park; and
 - e. Shall not contain other types of recreational vehicles other than park models.
- (9) Layout. Park model spaces shall be arranged to allow a minimum of two (2) parking spaces for each unit, and must be oriented in a uniform manner along roads either parallel, horizontal or angled so long as all units on a single road are positioned in a like fashion.
- (10) Roads. Roads located in the Park shall be a minimum of sixteen (16) feet wide for two-way roads or twelve (12) feet wide for one-way roads.

- (11) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (12) Sewage System. The park shall provide one of the following; individual hookups to a septic tank(s), or approved *public, community or municipal sewage disposal system*. The park shall connect to a *municipal sewage disposal system* when the system is located within a distance equal to the product of 50 feet multiplied by the number of spaces. If a park is located more than 2,500 feet from an existing *municipal sewage disposal system*, such connection shall not be required. All sewage systems must be approved by the applicable review agency.
- (13) *Common Area Recreation and Service Facilities*. Those facilities within the Park shall be for the park owners or their guests, and shall adhere to the development standards established in SR 4.6 (*Common Area Recreation and Service Facilities*).
- (14) Density. Park model recreational vehicle parks shall be allowed at a density of ten (10) spaces per acre.

Draft Amendments to the Property Addressing Ordinance:

Recommended changes are highlighted in red.

Issue: The Property Addressing Ordinance allows for decisions of the Property Addressing Coordinator to be appealed. This amendment clarifies the process of an appeal under G.S. 153A-239.1 for a public hearing by the Board of Commissioners.

Recommendation: Amend section 41-14. Appeals of the Property Addressing Ordinance.

41-14. Appeals

Action taken by the Property Address Coordinator or under guidelines set forth in this chapter may be appealed by the property owner(s) to the ~~Zoning Board of Adjustment (ZBA)~~ **Board of Commissioners (BOC) for a public hearing under G.S. 153A-239.1**. Such an appeal must be filed in writing within 30 days of written notification of required owner action with the Property Addressing Coordinator, **and the appellant must pay the cost of notifications for the hearing.**