Lincolnton NC

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Public Hearing Staff Analysis
ZTA-1-2024
Amendment to Section 153.031, 153.117.1 and the creation of a new chapter 153.131 of the UDO

SUMMARY

ZONING TEXT AMENDMENT REQUEST

Applicant is requesting a permitted use be added to Section 153.117 General Manufacturing and Commercial (GMC) to allow for a resort/vacation lot intended for campers and RVs.

REASON FOR THE AMENDMENT

Currently our ordinance does not address RV Parks. After reviewing the applicants request, staff determined it would be more appropriate to make this a permitted use in the General Industrial (GI) zoning district. This amendment would define RV Parks, Recreation Vehicles, give them a permitted use in a Conditional District and some prescribed standards. Since GI is a conditional district any applications for an RV Park would require a Conditional Zoning with a site plan to be approved through City Council. The following are staff's recommendations for the text amendment.

PROPOSED AMENDMENT TO SECTION

153.031 Definitions

PROPOSED DEFINITION IN SECTION 153.031

RECREATIONAL VEHICLE (RV) PARK. A lot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicle of the general public as temporary living quarters for recreation or vacation purposes together with automobile parking spaces and incidental utility structures and facilities required and provided in connection with the use.

RECREATIONAL VEHICLE. – A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use that either has its own motive power or is mounted on, or towed by, another vehicle. The basic entities are camping trailer, fifth-wheel travel trailer, motor home, travel trailer, and truck camper. This term **shall not** include a manufactured home as defined in G.S. 143-143.9(6). The basic entities are defined as follows: a. Camping trailer. – A vehicular portable unit mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use. b. Fifth-wheel trailer. – A vehicular unit mounted on wheels designed to provide temporary living quarters for recreational, camping, or travel use, of a size and weight that does not require a special highway movement permit and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle. c. Motor home. – As defined in G.S. 20-4.01(27)k. d. Travel trailer. – A vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, and of a size or weight that does not require a special highway movement permit when towed by a motorized vehicle. e. Truck camper. – A portable unit that is constructed to provide temporary living quarters for recreational, camping, or travel use, consisting of a roof, floor, and sides and is designed to be loaded onto and unloaded from the bed of a pickup truck.

PROPOSED AMENDMENT TO SECTION

153.117.1 GI GENERAL INDUSTRIAL DISTRICT.

PROPOSED CHANGES IN SECTION 153.117.1

(A) Permitted uses. The following uses are permitted by right.

(27) RV Park meeting the standards outlined in Chapter 153.131

PROPOSED SECTION:

153.131 RV Park Standards

(A) ***Purpose and intent.*** This section shall set forth the minimum requirements for the application, development, operation, and maintenance of permanent RV Parks in the City of Lincolnton Planning and Zoning Jurisdiction. RV Parks are subject to the conditional zoning process. However, the Zoning Board of Adjustment and the Zoning Administrator will use discretion in these cases to determine which standards and conditions are applicable.

(B) ***Permitted locations.*** Recreational vehicle (RV) parks shall be allowed as conditional zoning in the General Industrial (GI) zoning classification.

(C) ***Review procedures.*** Application for site plan approval for the development of RV parks, if applicable, shall be made with the City Council through the Conditional Zoning process. The information listed and required under division (C)(1) of this section shall be included with any application. The applicant is bound by the design and specifications shown on the final approved drawings.

(1) ***Required site plan information.***

(a) Five copies and one digital version of drawings to a readable scale by a licensed surveyor/engineer, showing the following:

1. The area and dimensions of the subject tract or parcel;
2. Topography;
3. Number, location, design and layout of all RV pads;
4. Layout of interior roads and parking areas;
5. Location and size of all structures to be included in the RV park;
6. Type and placement of screening;
7. Buffer zones;
8. Landscaping;
9. Placement of refuse containers and waste disposal sites; and
10. Plan for park lighting.

(b) Three copies and a digital version of the detailed specifications for the following:
    1. Water supply and system;
    2. Sewage disposal system;
    3. Drainage plan; and
    4. Construction plans for interior roads, parking areas and buildings.
(c) Existing vegetation and vegetation proposed to be retained.
(d) Area map showing the subject property in relation to adjacent parcels of land.
(e) Plat or title certificate obtained or updated within two weeks prior to making application.
(f) Lease agreement, if land is to be leased for RV park development.
(g) List of the property owners of record, within 300 feet of the exterior boundaries of the subject property.
(h) Traffic study by a certified engineer (may be required at the option of the town).
(i) No structures or RVs located within the AEFW or AE areas of the floodway and floodplain.
(j) Other information as determined necessary by the Zoning Administrator.

(2) ***Application process***. RV park must go through the conditional zoning process. In addition to those requirements specified for the processing of conditional zoning applications, the following criteria shall be applied to the review of RV parks:

(a) General operation and maintenance requirements:

1. The proposed development will not result in the obstruction of or interference with existing traffic patterns in the area.
2. The proposed development will not generate congested or undue RV traffic through residential, urban residential, or town center zones.
3. The proposed development shall cause minimum disturbance to the natural environment.
4. Development must retain site in as natural a state as is feasible.
5. An attendant must be on duty or on-call during operation, unless described and agreed to during the conditional zoning process. Signage indicating contact information for the attendant must be displayed.
6. Registration records must be kept on the occupancy of all RV parks. As a minimum, the registration form must have space for name, date, and permanent mailing address.
7. Upon request, park records shall be made available to the town and/or county government.
8. An inspection and occupancy permit shall be required prior to the opening of any RV park.
9. No camper, including gear and vehicles, shall stay a length of time which exceeds 90 days sequentially. Additionally, No camper, including gear and vehicles, shall stay a length of time which exceeds 180 days per calendar year.
10. Park areas shall be kept free of litter and debris at all times.

11. Service buildings shall be maintained in a sanitary condition at all times.
12. Animals traveling with campers shall be kept on a leash or tethered within their campsite at all times.
13. The developer, to whom approval was initially granted, or approved subsequent developer, or owner, shall be accountable to the town for adherence to these regulations.
14. Operator shall provide for continued maintenance of landscaping and buildings.

(D) ***Park size & density restrictions.***

(1) Minimum parcel size: A minimum parcel of twenty acres shall be required for the development of RV parks.

(2) RV Park design standards:

(a) In the location and spacing of campsites, there shall be a minimum of 12 feet between RVs and/or structures.

(b) All campsites shall be well drained; stormwater shall be conveyed to approved detention facilities and/or areas.

(c) Restroom facilities shall be located within 400 feet of any campsite. Handicapped access to restroom facilities is required.

(E) ***Traffic circulation and street design.***

(1) Interior roads width to be determined by Appendix D of the Fire Code.

(2) Interior roads connecting to public street rights-of-way shall be paved in accordance with town standards within 50 feet of such rights-of-way.

(3) For traffic safety, acceleration, and deceleration lanes may be required at points of ingress and egress.

(F) ***Parking.***

(1) A minimum of one auto parking space shall be provided inside the area of each campsite.

(2) One additional auto parking space shall be provided for each five campsites, to be located elsewhere in the park.

(3) Additional parking spaces shall not be provided on interior roads.

(G) ***Accessory uses.***

(1) Accessory uses are allowed whose primary usage and enjoyment are for park tenants.

(2) Accessory uses shall be placed no closer than 150 feet from any exterior park boundary.

(3) A service building and park office shall be provided in all RV parks and campgrounds.

(H) ***Restroom requirements****.* A sanitary source of drinking water must be at least 200 feet, but no more than 400 feet, from toilet facilities. A bathhouse may not be more than 1,500 feet from any tent or vehicle space. This does not apply where public water and sewer connections are provided to vehicles having self-contained kitchens and bathroom facilities.

(I) ***Open space.*** Open space of 12% is required. Buffers are not to be included as open space.

(J) ***Buffers, screening and setbacks.***

(1) *Buffers, screening, and setbacks.* Parks shall require a 50-foot buffer along any property boundary that is adjacent to any public street right-of-way and a 30-foot buffer along all other property boundaries.

(2) *Screening and setbacks.*

(a) Screening shall be required along any property boundary adjacent to a public street right-of-way. Such screening shall be set back a minimum of 20 feet from such rights-of-way.

(b) Screening shall be set back 20 feet from any street right-of-way.

(K) ***Water supply and sewage disposal.***

(1) Any RV park having town sewer or water lines available shall be required to hook up to town water and sewer systems.

(2) In RV parks not having sewer or water lines available, any alternative systems shall require approval of the Public Works Director in their jurisdiction and shall be sufficient in meeting requirements of the state and county Departments of Environmental and Health Services.

(L) ***Refuse disposal.***

(1) No campsite shall be located more than 200 feet from any refuse container.

(2) Such containers shall be made of heavy and durable material with lids.

(3) Such containers shall have a holding capacity of at least 30 gallons.

(4) At least one two-yard standard dumpster with a lid shall be required to be located near a facility entrance for convenient pick-up. More than one such dumpster may be required, depending on the number of sites to be served and the number of weekly pick-ups.

(M) ***Miscellaneous provisions.***

(1) Any expansion of an existing RV Park must meet the requirements of this section.

(2) RV sites are to be well marked and numbered.

(3) For RV park, sanitary waste station shall be provided, unless all sites are connected to an approved sewer system.

STATEMENTS

Staff's Proposed Statement of Consistency for APPROVAL of Application

Case No. ZTA-1-2024
Applicant: David Black
Request: Amendment to definition

Proposed Consistency and Reasonableness Statement:

The text amendment is consistent with the goal to promote tourism. It is reasonable in that it would fill a need for an alternative for short term overnight stays.

Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

Staff's Proposed Statement of Consistency for DENIAL of Application

Case No. ZTA-1-2024

Applicant: David Black
Request: Amendment to definition

Proposed Consistency and Reasonableness Statement:

The text amendment is consistent with the Land Use Plan, however an RV Park is not a desired permitted use.

Therefore, **denial of the proposed amendment is reasonable and in the public interest.**

STAFF/PLANNING BOARD RECOMMENDATIONS

Planning Board Vote:

4-2 in favor of recommending approval

Staff recommend the following action:

1. Recommend approval of the text amendment
2. Approval of the statement of consistency for approval of the amendment request
3. Allowing a one time extension of the 90 day stay requirement per camper.