



## **Chatham County Planning Board Agenda Notes**

**Date: September 13, 2011**

**Agenda Item: VI. 1.**

**Attachment #: 1**

☐ **Subdivision**

☒ **Conditional Use Permit - Revision  
Request**

☐ **Rezoning**

☐ **Other:**

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<b>Subject:</b>	Request by Kent Dickens, dba Dickens Campground, Parcel No. 5749 and 5143, located at 2501 Corinth Rd., for a revision to the existing conditional use permit to add 6.5 additional acres from an adjoining tract to the existing campground site, add a spray water park, and 98 additional RV camp sites.
<b>Action Requested:</b>	See Recommendations
<b>Attachments:</b>	1. Report for landscaping and stormwater with photos prepared by Mr. Tom Glendinning, NCLRB 2. Environmental documentation packet 3. Chatham County Appearance Commission recommendations with marked photos from the meeting.

### **Introduction & Background**

A quasi-judicial public hearing was held on this request July 18, 2011. Staff presented the application request to the Boards. Mr. Kent Dickens answered questions from the Board and Mr. Tom Glendinning spoke regarding the landscaping of the property. The Commissioners stated any issues or further documentation not currently submitted could be submitted and reviewed before the item came back to them for a decision not requiring a need to continue the public hearing.

The applicant received the initial approval for the campground in August 2002 for 21 campsites. In August 2005, an approval for a revision to the CUP to add an additional 84 campsites, swimming pool, bath house, and laundry facility was made making the total approved sites 105. This request, if approved, would raise this number to 203.

On April 14, 2011, Mr. Dickens submitted a conditional use permit revision request, which was returned as incomplete. On May 26, 2011, a pre-application meeting was held with Mr. Dickens

and staff from various county departments was present to address any concerns they noted as the applicant prepared for the conditional use permit revision request. Items noted were the requirement for a stormwater plan, erosion and sedimentation control plan, separation between units, water availability, etc. A new submittal was received June 17, 2011.

Planning staff had postponed the request going forward to the Planning Board in order to receive additional information that had not previously been provided or reviewed. Mr. Dickens appeared before the Chatham County Appearance Commission (CCAC) June 8, 2011 at which time they requested a revised landscaping plan based on the discussions at that meeting. Mr. Dickens presented a revised landscaping plan at their August 20, 2011 meeting. Also, Planning staff had not received the environmental documentation information that is currently required as part of the application materials per the Chatham County Zoning Ordinance, Section 11.3.

### **Discussion & Analysis**

A conditional use permit request is required to meet five findings when recommending an approval for the request. Each finding with Planning staff recommendations is noted below.

**FINDING #1 – The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.** Per Section 10.13, private recreation camps and grounds that comply with Section 17.5.B, 20 acre minimum, is a permitted conditional use in the R-1 Residential district. It is Planning staff opinion this finding is supported.

**FINDING #2 – The requested conditional use permit is either essential or desirable for the public convenience or welfare.** This campground has been operating since before 2002 at which time the applicant received the first conditional use permit approval. The applicant states in the application the grounds are primarily used for temporary housing for contract workers hired by industries such as Sharon Harris Nuclear Plant during outages. It further states there continues to be a need for more recreational opportunities in the Moncure area because of the close proximity to Jordan Lake and the Cape Fear River.

The applicant states the expansion could increase the county tax base. Currently, per the Chatham County Tax listings, the approximate tax value of the campground property is \$428,592. The applicant states this value could double with the new expansion and services being proposed. It is Planning staff opinion this finding is supported.

**FINDING #3 – The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety, or welfare of the community.** Via email correspondence, NCDOT has conducted a preliminary review of the expansion request and do not recommend any additional improvements to the commercial driveway permit at this time.

The applicant met a second time with the CCAC on August 20, 2011. Mr. Tom Glendinning had prepared a report that was discussed with the commission. Attached are the marked photos

created during the meeting. The recommendations for landscaping and screening are listed below in the conditions of approval.

Staff held their regularly scheduled Technical Review meeting with various members of county departments on July 13, 2011. There were several issues still of concern as discussed in the May pre-application meeting that have been listed in the conditions of approval as provided below.

An Environmental Impact Document was submitted and has been approved per Dan LaMontagne, Environmental Quality Director.

Current signage is to remain and no changes or additional signage are requested. Parking for each campsite will be available on the side of each unit. No other parking areas have been requested. It is Planning staff opinion this finding, with the additional proposed conditions listed below, may be supported.

**FINDING #4 – The requested permit will be consistent with the objectives of the Land Use Plan.**

The Land Conservation and Development Plan hereby referred to as the “Plan”, was adopted in November 2001 and list many items for consideration of new and existing development. Currently there is not an adopted map to support its findings. However, the Plan encourages a variety of housing options be made available, options for home-based businesses, and to continue supporting existing commercial and industrial areas. As stated, Mr. Dickens has been operating a campground on his properties for over 10 years. The applicant also lives on property adjacent to the campground where he can manage and maintain the facility.

The impervious surface classification is WSIV-PA and does not fall within the new Jordan Lake buffer rules. The allowed impervious surface for this project is 36%. Based on information provided by the environmental document, the total will not exceed 32%.

The Moncure-Haywood area is also listed independently as an area to build on the industrial potential to create more jobs and possible housing opportunities. It is Planning staff opinion this finding is supported.

**FINDING #5 – Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the county’s plans, policies, and regulations.** The property is currently served by county water. The Utilities Director has stated there is adequate water to continue to supply the site, as well as the spray water park. There is also a requirement per Public Works and NCDENR, Public Water Supply Section, for a state permit to expand the water lines within the park. This is conditioned below.

The Chatham County Environmental Health Department has issued a statement that preliminary work shows adequate room with the existing septic field area at the rear of Parcel No. 5749 of the existing park area to support the expansion. Proper permitting must be issued before adding additional units. The applicant states in the application that they plan to phase in sites and the addition of the spray park.

The application materials did not contain a preliminary stormwater plan depicting where any stormwater feature/s would be installed. Mr. Dan LaMontagne, Environmental Quality Director, has indicated that a stormwater plan will be required, and stormwater control devices installed, based on the findings as detailed with stormwater regulations. This has been conditioned below. It is Planning staff opinion this finding may be supported with the additional proposed conditions listed below.

### **Recommendation**

Planning staff recommends approval of this request as specified in the application and with the stated conditions below. The Planning Board has up to three (3) meetings in which to make a recommendation to the Board of Commissioners.

#### **Site Specific Conditions**

1. The recommendations as provided by the Chatham County Appearance Commission shall be followed. All landscaping shall be installed and comply with Section 12 of the Zoning Ordinance and the Design Guidelines.
2. There shall be a 50 foot perimeter buffer around the currently approved recreational vehicle park/campground and the new 6.5 acre area being added where no development or sites may be located, as required by the Zoning Ordinance.
3. No sites or storage of any kind is permitted within the power line easement areas.
4. No individual storage units/structures shall be located on the site. Storage of recreational vehicles or boats, as a separate use, is also prohibited unless an amendment to the conditional use permit is obtained.
5. Units shall be located a minimum of 30 feet apart per the North Carolina Fire Code.
6. Mobile homes on the site may not be used for commercial/non-residential purposes.
7. Plans and permits must be submitted, approved, and a copy provided to the Planning Department from Environmental Quality for stormwater, from Erosion & Sedimentation Control for land disturbing activities, from NC Department of Environment and Natural Resources for public water supply, and from the Division of Environmental Health for the spray park and septic expansion.
8. A revised site plan detailing the location of septic areas and drain fields, impervious surface areas, corrected buffer areas, and stormwater features shall be provided after plans have been reviewed by the respective departments/agencies before any land disturbing may begin.
9. All previous conditions placed on the prior approvals shall also remain in effect.

#### **Standard Site Conditions**

10. Signage, parking, and lighting shall conform to the Chatham County Zoning Ordinance.
11. The application and approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place.

12. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Storm water Management, Building Inspections, etc.) shall be obtained, if required, and copies submitted to the Planning Department prior to the initiation of the operation/business.

**Standard Administrative Conditions:**

13. Appeal - The County shall be under no obligation to defend any action, cause of action, claim, or appeal involving the decision taken herein. In the event a response is authorized by the County concerning this resolution, or any action to enforce the provisions hereof, the applicant, its successors or assigns shall indemnify and hold the County harmless from all loss, cost or expense, including reasonable attorneys fees, incurred in connection with the defense of or response to any and all known or unknown actions, causes of action, claims, demands, damages, costs, loss, expenses, compensation, and all consequential damages on account of or resulting from this decision.
14. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspection, established from time to time.
15. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued determination with the plans and conditions listed above.
16. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
17. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.