

Motion and
Statement of Consistency with Comprehensive Plan
UDO-260

I move that the following statement be adopted in support of a Motion to Approve Zoning Text Amendment UDO-260.

The zoning text amendment, proposed by Salem Baptist Church/ Merriwood Christian Camp to Revise Chapters A and B of the Unified Development Ordinances (UDO) to Create the Use “Campground,” is in conformance with the recommendations of the Legacy Comprehensive Plan and is reasonable and in the public interest because:

1. The proposed text amendment is in line with standards that other communities have adopted for Campgrounds and allows the Campground use within appropriate zoning districts with an appropriate level of review and would only be allowed in Growth Management Areas 4 and 5 with a minimum of ten (10) acres; and
2. The proposed text amendment contains the following safeguards to mitigate any potential negative impacts to residential properties in rural areas where a Campground could be located:
 - a. This proposed text amendment contains a requirement to provide a buffer, comparable to a Type II bufferyard, around the perimeter of the site wherever it abuts residential zoning and that all buildings and activity areas will be required to be setback a minimum of fifty feet (50’) from the property line; and
 - b. The amendment also proposes to prohibit lighting for athletic fields and activity areas in an effort to mitigate lighting impacts to surrounding properties.

Based on the foregoing Statement, I move adoption of UDO-260.

Second:

Vote:

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on a UDO Text Amendment Proposed by Salem Baptist Church/Merriwood Christian Camp to Revise Chapters A and B of the *Unified Development Ordinances* to Create the Use "Campground" (UDO-260)

- B. Ordinance Revising the Unified Development Ordinances to Create the Use "Campground"

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

After consideration, the Planning Board recommended approval of the zoning text amendment.

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

STAFF REPORT

DOCKET # UDO-260
STAFF: Aaron King

REQUEST

A UDO Text Amendment proposed by Salem Baptist Church/Merriwood Christian Camp to revise Chapters A and B of the *Unified Development Ordinances* to create the use "Campground" (UDO-260).

BACKGROUND

Merriwood Christian Camp is a camp located at the terminus of Center Grove Church Road in western Forsyth County. The camp is located in RS40 (Residential Single Family- 40,000sf lot size) zoning and has been in existence for over fifty years. The camp use would currently be classified by the *UDO* as Recreation Services, Outdoor. The Recreation Services, Outdoor use is not a permitted use in the RS40 district, therefore making the camp use legally nonconforming to zoning.

As a nonconforming use, the camp is limited in regards to future expansion. The *UDO* limits expansions of nonconforming uses to a one-time expansion of up to twenty-five percent (25%) which is reviewed by the Zoning Board of Adjustment as a Special Use Permit. In working with the applicant, they have indicated some short term expansion needs which would likely be accommodated by the twenty-five percent (25%) expansion allowance; however, this would preclude any future expansions.

In working with Planning staff, the applicant explored the possibility of rezoning their land to a district that allowed the use Recreation Services, Outdoor. This use is primarily allowed in commercial and industrial zoning districts- both of which would likely be candidates for illegal spot zoning in their location and not consistent with *Legacy's* policies for the Rural Growth Management Area. They also explored the Institutional & Public (IP) zoning district which does allow Recreation Services, Outdoor and would be more appropriate at this location than commercial or industrial zoning. However, IP zoning requires that a Recreation Services, Outdoor use must be located on a major/minor thoroughfare or collector street. The existing camp location does not meet this locational requirement.

Based on the existing circumstances, the applicant chose to apply for a text amendment to create the use of "Campground."

ANALYSIS

While much of the background above relates specifically to the applicant's existing campground, staff is charged with evaluating the proposal to insure that it would adequately accommodate any future campground uses within the County. Staff believes this request provides a logical definition of the proposed Campground use, allows it within the appropriate zoning districts with an appropriate level of review, and establishes reasonable performance standards to mitigate any potential negative impacts.

The proposed text amendment would allow the Campground use in the: YR (Yadkin River), AG (Agricultural), RS40 (Residential Single Family- 40,000sf lot size), and RS30 (Residential Single Family- 30,000sf lot size) districts with the approval of a Special Use Permit by the Zoning Board of Adjustment. In addition to being limited to the four zoning districts mentioned above, the Campground use would only be allowed in Growth Management Areas 4 (Future Growth Area) and 5 (Rural Area) with a minimum of ten (10) acres. Staff believes that the proposed zoning districts along with the additional geographic restrictions will steer the Campground use to being located in primarily rural areas.

The proposed Campground use will also have a requirement to provide a buffer (comparable to a Type II bufferyard) around the perimeter of the site wherever it abuts residential zoning. All buildings and activity areas will be required to be setback a minimum of fifty feet (50') from the property line. Staff believes these additional requirements will allow a Campground use to function while offering some safeguards to adjoining residences. The amendment also proposes to prohibit lighting for athletic fields and activity areas in an effort to mitigate lighting impacts to surrounding properties.

Staff believes the proposed text amendment is a reasonable addition to the *UDO*. It contains safeguards needed to protect residential properties in rural areas where a Campground could be located. In examining other jurisdictions in North Carolina, this proposal appears to be in line with standards that other communities have adopted for Campgrounds.

RECOMMENDATION

APPROVAL

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-260
MAY 14, 2015**

Aaron King presented the staff report.

PUBLIC HEARING

FOR:

Terry Covington, 9640 Center Grove Church Road, Clemmons, NC 27012

- We've been here for 50 years and our buildings are 40-50 years old.
- We're locked in where we can't replace the buildings or make significant improvements to the camp such as adding an archery pavilion shelter to keep our campers dry or shady.
- We have only been able to do minor modifications and would like to improve our facilities.
- Campers would like to have larger cabins and air conditioning. We can't provide that under current regulations.

Don Sunden, 935 W. Bank Street, Winston-Salem, NC 27101

- We'd like to be able to remodel and get the bathroom facilities up to code. We can't because we don't have the room to be able to do it.

Bill Edwards, 8831 Center Grove Church Road, Clemmons, NC 27012

- I'm here to support the request. Some of the facilities at the camp are aged out and really need to be upgraded.
- They are trying to upgrade it to make it better for the kids.

J. T. Grimes, 8940 Mackintosh Lane, Clemmons, NC 27012

- I wanted to show my support for everything they are doing.

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

While the definition of campground does not specifically exclude such camping facilities as those with tent sites and there is no specific limit on the length of stay, the definition definitely guides this use toward camps run by organizations such as religious groups, boy scouts, and girl scouts. It also provides sufficient direction that other uses on sites approved as a "Campground" could be cited.

Sanitary facilities are regulated under the Health Department and Building Codes. They are part of the review process for approval of permits.

Melynda Dunigan: I'm not opposed to this in principal but am concerned about the review process. With the wide variety of possible applications of this definition, I feel it should go to the elected body for review.

Brenda Smith: A camp could have a significant impact on neighbors. Can we provide protections for the neighbors?

George Bryan: This isn't limited to children so there could be adults coming to the camp. Some of the campers could be driving. We may be very supportive of this camp but we have to consider the amendment so that it doesn't get misused in the future.

MOTION: Clarence Lambe moved approval of the text amendment.

SECOND: Darryl Little

VOTE:

FOR: Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Allan Younger

AGAINST: George Bryan, Melynda Dunigan, Brenda Smith

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services

UDO-260
AN ORDINANCE REVISING THE *UNIFIED DEVELOPMENT ORDINANCES*
TO CREATE THE USE “CAMPGROUND” (UDO-260)

Be it ordained by the Board of Commissioners of Forsyth County, North Carolina, that the *Unified Development Ordinances (UDO)* is hereby amended as follows:

Section 1. Chapter A - Definitions Ordinance, Article II – Definitions is amended as follows:

Chapter A – Definitions Ordinance
Article II – Definitions

CAMPGROUND. Establishments engaged in seasonal or overnight, recreational housing and conducting a variety of educational and athletic activities. These establishments provide accommodation facilities, such as cabins or fixed campsites, food services, on-site recreational facilities and equipment, and organized recreational activities. Examples include but are not limited to: Religious Institution Camps or Retreats, Boy Scout Camps, and Girl Scout Camps. Excluded from this definition is any use that would otherwise be classified as Recreational Vehicle Park.

Section 2. Chapter B – Zoning Ordinance, Article II – Zoning Districts, Official Zoning Maps and Uses is amended as follows:

Chapter B – Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps and Uses

Amend Table B.2.6 by adding the use “Campground (LO)” under the heading “Recreational Uses”. This use shall be allowed as a Board of Adjustment Special Use Permit (A) in the following districts: YR, AG, RS40, & RS30. In the column for Use Conditions, add “11.1”.

2.5-11.1 CAMPGROUND

(A) Minimum Size

The minimum size for a Campground shall be ten (10) contiguous acres.

(B) Bufferyards

The deciduous trees and primary evergreen plants required for a Type II bufferyard shall be installed along any property line that abuts residential zoning.

(C) Setbacks

All buildings, athletic fields/facilities, and activity areas shall be setback a minimum of fifty (50) feet from the property line.

(D) Lighting

Lighting for athletic fields/activity areas shall be prohibited.

(E) Growth Management Area

The use Campground shall only be allowed within Growth Management Areas four (4) Future Growth Area and five (5) Rural Area.

**Chapter B – Zoning Ordinance
Article III – Other Development Standards**

3-2 Sign Regulations

3-2.1 Sign Regulations (F)

(E) On-Premises Signs – Ground Signs, Projecting Signs

(9) On-Premises Ground and Projecting Signs in the YR, AG, MH, and RS Districts.

(a) Permitted Districts and Uses. On-premises ground and projecting signs are allowed with the following uses in the YR, AG, and MH Districts, and in any RS District:

(xvii) Campground

(F) On-Premises Signs – Roof Signs, Wall Signs

(5) Wall Signs in the YR, AG, MH, and RS Districts. Wall signs are allowed with the following uses in the YR, AG, and MH Districts, and in any RS District:

(q) Campground

3-3 Parking, Stacking, and Loading Areas

3-3.2 Off-Street Parking Requirements

(A) Number of Spaces

Table B.3.8 contains the parking requirements for motor vehicles. Special requirements, including maximum allowed spaces applicable to new uses constructed after the effective date of this Ordinance, are provided under the *Notes* column where appropriate.

PRINCIPAL USES	MINIMUM REQUIREMENTS	NOTES
<u>Campground</u>	<u>1 space per employee</u>	<u>Any additional parking may be accommodated through grass overflow parking areas.</u>

6-1 Administration

6-1.4 Board of Adjustment

(A) Special Use Permits Authorized by the Board of Adjustment

(2) Planning Board Report. Applications for special use permits may be approved by the Board of Adjustment after such board receives a report from the Planning Board and holds a duly advertised public hearing in each case, except that the Planning Board shall not be required to review and report on applications for:

(n) Campground

Section 3. This ordinance shall be effective upon adoption.