



Dare County Planning Board Virtual Meeting
Meeting will be streamed live on www.youtube.com/darecounty
Dare County Administration Building
954 Marshall C. Collins Drive
Manteo, NC 27954

December 14, 2020

Agenda

- I. Call to order **6:00 PM**
- II. Roll call
John Finelli, Chairman
Michael Barr
Terry Gore II
David Hines
Beth Midgett
David Overton
Buddy Shelton
- III. Approval of minutes for the November 9, 2020 meeting
- IV. Public Comment

Public comment may be presented to the Board in advance of the meeting by sending an email to: dcplanningbd@darenc.com. Emailed public comments will be received by the Board until 4:00 PM on the day of the meeting.
- V. Old Business
 - a. None
- VI. New Business
 - a. Conditional Use Permit Application, Outer Banks Dare Challenge, Inc., Request to Expand Existing Wanchese Facility, 2263 NC Hwy 345, Wanchese, NC
- VII. Other Business
 - a. Continued Discussion of Camping Cabin Regulations Referred by Board of Commissioners
- VIII. Adjournment

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, November 9, 2020. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

The meeting was streamed live at: www.youtube.com/darecounty

CALL TO ORDER 6:00 pm

MEMBERS PRESENT John Finelli, Chairman
Michael Barr Beth Midgett (remotely)
Terry Gore II Buddy Shelton
David Hines

MEMBERS ABSENT David Overton

APPROVAL OF MINUTES

There was a correction to the minutes of the October 12, 2020 meeting of the Dare County Planning Board. The correction was made to the first sentence of the sixth paragraph on page five. The sentence was moved to precede the motion to have Michael Barr rejoin the meeting. Terry Gore made a motion to approve the minutes as corrected. Michael Barr seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

Patrick Munson, of 25494 NC 12 Hwy, Waves, provided email comments to the Planning Board regarding the Conditional Permit Application for Waves Retreat Cluster Home Development. He is concerned about the density of the development affecting noise and trespassing, and is also concerned with fill and drainage issues.

C. Barton Decker, of Waves, provided email comments to the Planning Board regarding the Conditional Use Permit Application for Waves Retreat Cluster Home Development. He is concerned about the dwelling density adjacent to a historical site and if there is enough of a buffer to protect the historical site.

Eloise Sendi, of 40284 Moore Way, Avon, provided email comments to the Planning Board regarding the Conditional Use Permit Application to add additional travel trailer sites on an existing commercial property, Avon by the Sea RV Park. She is concerned about the need to extend a buffer in relation to her adjoining property, an increase of

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LAND OF BEGINNINGS

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noise, dumping area for waste in proximity to neighboring houses, parking and the shared use site.

Bonnie Regulski, of 40242 Moore Way, Avon, provided email comments to the Planning Board regarding the Conditional Use Permit Application to add additional travel trailer sites on an existing commercial property, Avon by the Sea RV Park. She is concerned about the effect an RV Park will have on the enjoyment, safety and value of her property.

Michelle and Lonnie McDonald, of Avon, provided email comments to the Planning Board regarding the Conditional Use Permit Application to add additional travel trailer sites on an existing commercial property, Avon by the Sea RV Park. They are not against having a travel trailer park but are concerned about privacy and losing access to the pier and pier activities. They are also concerned about length of stay and whether on-site staff will be available to address after-hour noise, parties or disturbances.

A copy of emailed public comments is available upon request.

OLD BUSINESS

-None-

NEW BUSINESS

Conditional Use Permit Application to Add Additional Travel Trailer Sites on Existing Commercial Property, Avon by the Sea RV Park, 41001 NC 12 Hwy, Avon, NC

Joe Thompson, of Avon Pier, LLC, Applicant, was present at the meeting.

Mr. Gillam told the Board that Joe Thompson on behalf of Avon Pier, LLC has submitted a conditional use permit application to allow for travel trailer sites on his existing commercial property in Avon. The parcel is 4.85 acres and zoned C-3 commercial; travel trailer sites on commercial property are permitted as a conditional use. Mr. Gilliam noted the travel trailer sites will also be subject to the guidelines and requirements of the Dare County Travel Trailer Park Ordinance.

Mr. Gillam said the applicant is proposing 26 sites on a two acre area dedicated solely to the use of the travel trailer sites. The Board received a site plan showing the existing and proposed improvements on the property. The site plan shows the proposed travel trailer sites in freeform configuration keeping the required 15 foot separation between

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sites as required by the ordinance. A proposed bathhouse dedicated to the travel trailer sites is also depicted on the site plan.

Mr. Gillam said the applicant plans to use the existing onsite storm water infrastructure and wastewater treatment and disposal system for the travel trailer sites. Mr. Gillam added that the existing infrastructure was originally designed to support a much more intensive use. He noted the land disturbance associated with the installation of the travel trailer sites and improvements is less than 1 acre so a permit from North Carolina Division of Environmental Quality will not be required. A state stormwater management plan will be required.

Mr. Gillam said the site plan shows a proposed vegetative buffer along the northern property line; however a vegetative buffer will need to be installed along the perimeter of all the travel trailer spaces, except those adjacent to the dunes where the dune will act as the barrier.

Mr. Gillam said a typical cross section of the road improvements will need to be submitted as part of the permitting process.

Mr. Gillam said adjacent property owners have been notified that a conditional use application for a travel trailer park has been applied for. Mr. Gillam noted three public comments have been received. Copies of the emailed public comments were provided to the Board in their email and at their seats.

Mr. Gillam said the Fire Marshal has reviewed the site plan. A copy of the Fire Marshals comments were provided to the Board at their seats.

The Planning Board was advised that even though this is being handled as a conditional use permit (CUP), the proposed project has to follow the regulations set forth in the Dare County Travel Trailer Park and Campground Ordinance. Upon approval of the CUP, the applicant can apply for a building permit to start development. The applicant has 12 months to complete installation of improvements and submit a final plat for Planning Board review.

A draft CUP was provided to the Board for their review.

The Board discussed the buffer requirement. Mr. Gillam said the vegetative buffer has to be around the perimeter of the area where the RV sites are and not just on the north side as depicted on the site plan. The buffer needs to be extended on the site plan

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before this item moves forward to the Board of Commissioners. Mr. Thompson asked if there was an option to build a fence rather than a vegetative buffer. Donna Creef said the ordinance is specific that it be a vegetative buffer. The CUP cannot delete the requirements of the ordinance. Ms. Creef noted the vegetative buffer will also cut down on noise from the RV's, which is a concern noted in public comment. Mr. Thompson asked if they can put a fence in addition to the vegetative buffer. Ms. Creef said a fence can be added in addition but it has to be a vegetative buffer.

Ms. Creef asked Mr. Thompson to explain what plan is in place to notify campers in the event of a Dare County emergency evacuation notice as required in the ordinance. Mr. Thompson said they can add information clauses to the electronic reservation with information about mandatory evacuation notices, quiet hours, pets and other rules of the park.

Mr. Thompson addressed the Board. He spoke about RV trends and how RV travelers benefit the Outer Banks. Mr. Thompson asked the record be noted that this piece of property is private property. He said Avon, LLC owns almost five acres of oceanfront private property and it gets treated daily as if it were public property. He added that his family understands what it means to the locals, homeowners and visitors to have that property to access the beach. They are just trying to bring a use they feel is underserved and would do a lot of good for a lot of people.

Terry Gore made a motion to recommend approval of the conditional use permit application subject to the following:

1. A 12 foot width needs to be added to Condition #5 to account for the areas of one-way travel.
2. The plat shall be revised to indicate the vegetative buffer will be extended to the entire perimeter of the RV Park with the exception of the frontal dune area where the dune will act as the buffer.
3. A gate shall be provided at the entrance of the park.

Michael Barr seconded the motion.

Vote: Ayes – Unanimous

Preliminary Plat Review, Old Wharf Estates, Phase 2, 19 Lot Division, Wanchese, NC

Joseph J. Anlauf, P.E., of Anlauf Engineering, PLLC, was present on behalf of the property owners.

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Donna Creef addressed the Board. Ms. Creef said this is a preliminary plat for a 19 lot subdivision. The area is zoned Village Residential. All of the proposed lots contain the minimum area of 15,000 square feet. The lots, except for lot 5 will be accessed from a new road proposed for the division. The road will consist of a 45 foot wide right-of-way with 20 feet of paved improvements. Lot 5 will be accessed from an existing 20 foot easement from Old Wharf Road. This easement currently serves as access to the entire parcel. Portions of the easement that extend beyond lot 5 will be abandoned since the new road will serve as access to the other lots. A large retention basin/common area is proposed at the end of the road. Ms. Creef recommends fencing be installed around the basin as part of the preliminary improvements.

Ms. Creef noted there is an encroachment on lot 5 from the adjoining subdivision. The property owner is in the process of working with the mobile home owner to address and correct the encroachment.

Ms. Creef said the preliminary plat meets the intent of the ordinance. Ms. Creef additionally stated a state stormwater management permit is needed before preliminary plat approval can be granted.

The Board discussed the buffer requirement; specifically the barrier around the retention area. Mr. Anlauf said the retention basin will be a wet retention basin. He added that the property owner is in support of a fence or physical barrier to the retention basin. The Board discussed what type of fence should be required around the retention area. Buddy Shelton explained the NC building code for pool barriers. Mr. Anlauf said a pool fence standard seems appropriate.

Michael Barr asked that front yard setbacks for lots 10, 14 and 21 be noted on the plat to indicate distance to the front property line. Mr. Barr additionally asked if the right-of-way for lot 5 is improved. Ms. Creef said it will have to be improved with gravel at the time they get a building permit.

Buddy Shelton made a motion to recommend approval of the preliminary plat subject to the following conditions:

1. The plat approval becomes valid on the date the NC stormwater management permit is approved for the property. The twelve month preliminary plat approval will start on that date. If any changes in the layout of the division are made as a result of the NC review of the stormwater plan, then additional review by the Planning Board shall be required.

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2. A fence/barrier shall be provided around the wet area of the retention basin in the common area. The pool barrier guidelines from the NC building code relative to height and materials shall be followed in the construction of this fence. The fence shall be installed as part of the division's infrastructure and completed before final approval can be granted.
3. The plat shall be revised to indicate the distance to the front property line to building setback line on lots 10, 14 and 21. A note shall also be included on the final plat and in the homeowners documents indicating the front yard setbacks in these three lots shall be as depicted on the final plat.
4. Comments from the Fire Marshal dated November 9, 2020 shall be addressed with either the installation of a hydrant for the structure on lot 5 or the installation of a residential sprinkler for the structure.
5. The 20 foot easement used for access to lot 5 shall be improved at the time Dare County construction permits for lot 5 are secured.

Terry Gore seconded the motion.

Vote: Ayes – Unanimous

Conditional Use Permit Application for a Cluster Home Development, Waves Retreat, 25478 and 25486 NC Hwy 12, Waves, NC

Michael W. Strader, Jr., P.E., of Quible & Associates, P.C., was present at the meeting.

Donna Creef addressed the Board. Ms. Creef said this is a conditional use permit application and site plan for a proposed cluster home development. The property is zoned S-1 and currently consists of two parcels that will be combined for the cluster home development.

Ms. Creef noted there is an existing house on the site. Section 22-31.1 establishes a maximum size limitation of 1200 square feet for any structure constructed in a cluster home development. This house is listed as 1,330 square feet on the tax record. Ms. Creef recommends conditions included in the draft CUP that preclude additions to the structure and compliance with the size limitation should the structure be demolished.

Ms. Creef said a revised site plan indicating all structures be separated by 15 feet be submitted.

Ms. Creef said there is an existing driveway that accesses the site which is proposed to be widened to 20 feet and improved with gravel. Comments from the Fire Marshal

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indicate the proposed gravel driveway should be able to support 75,000 pounds. The project engineer will need to certify that the road improvements and other comments received from the Fire Marshal have been constructed as proposed and approved.

The wetlands on the site have been flagged and verification for the Corps of Engineers is pending.

Ms. Creef said Staff received an emailed comment from the adjoining property owner to the south. Mr. Munson is requesting a visual buffer. The S-1 district requires a visual buffer between residential and commercial uses.

Ms. Creef noted section 22-31.1 states that any structure in a cluster home development shall be occupied on a long-term basis as defined in the Zoning Ordinance. Long-term is defined as a period longer than 31 days. This information should be noted on the site plan and in any homeowners documents created for the property.

Ms. Creef said the site plan indicates a parcel to the north as part of the NC 12 Retreat LLC ownership; however the tax records list the property as "unknown owner, conflict." The site plan should be corrected to note the ownership as listed on the tax records. Any measurements for lot coverage should not indicate the area of this conflicted parcel.

Ms. Creef suggested Page 3, note 15 be revised to indicate approval from the State of North Carolina and Dare County. Note 6, on Page 2 should indicate that all new structures shall conform to the Dare County Flood Damage Prevention Ordinance including a local elevation standard of eight feet.

Ms. Creef said public comments have been received regarding a cemetery on an adjoining property. The Board was provided an aerial survey of the area at their seats. The survey shows the cemetery as 56 feet from the subject property that will be developed. The cemetery is not on the site plan that is being considered. The cemetery is on the adjoining property.

Beth Midgett asked if there is anything on the site plan that interferes with the cemetery. Ms. Creef reaffirmed there is nothing on the site plan that interferes with the cemetery. The cemetery is on adjacent property and the plat of record for the adjacent property clearly depicts the access road back behind the existing commercial structure on that property. There is no access easement on record that Staff found for the deed for Hwy

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12 Retreat, LLC, which is the property under consideration. Access to the cemetery should be occurring from the commercial property where the cemetery is located.

The Board discussed the Fire Marshals comments. Donna Creef asked Mr. Strader if a fire hydrant will be installed as noted in the Fire Marshals comments. Mr. Strader replied that a fire hydrant will be installed.

Terry Gore made a motion to recommend approval of the conditional use permit application subject to the following:

1. The site plan shall be revised to indicate the 15 feet of separation between structures.
2. Note 15 on page 3 should be revised to read...removed, relocated, modified or altered without prior approval by the State of North Carolina and Dare County.
3. Access roads shall be constructed consistent with NC fire codes and a fire hydrant shall be installed as noted by the Fire Marshal in his November 6, 2020 comments. No construction of structures shall occur before the hydrant is installed.
4. A note shall be included on the site plan to indicate there is no sound access on adjoining properties.
5. A note shall be included on the site plan indicating the structures shall be limited to long-term occupancy. A condition is included in the Conditional Use Permit and the same language can be used on the site plan.

Buddy Shelton seconded the motion.

Vote: Ayes – Unanimous

This item will be submitted for review by the Board of Commissioners at their December 7, 2020 regular meeting. The Conditional Use Permit will be reviewed according to quasi-judicial procedures and the applicant must be in attendance to acknowledge and accept the conditions of approval.

Proposed Amendment to Conditional Use Permit, Rodanthe Sunset Group Development, Phase 2, 24280 NC 12, Rodanthe, NC

Michael W. Robinson, P.E., P.L.S., was present at the meeting.

Donna Creef read her Staff comments. The owners/developers of Rodanthe Sunset Resort submitted a revised site plan and conditional use permit amendment for the site located at 24280 NC 12 in Rodanthe. A CUP for this site was originally approved in

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2008. This CUP has expired. The request submitted seeks to eliminate two commercial structures and construct all residential structures. Staff processed this request as a new conditional use permit versus an amendment due to the expiration and switch to entirely residential structures.

Ms. Creef said with the elimination of the commercial structures, the allowable lot coverage reverts to 30 percent for residential developments. The overall number of units in the second multifamily structure remains at eight units. Two single-family residential structures with ten bedrooms each are proposed. The overall number of structures proposed does not vary from the total approved in 2008, just the nature of the occupancy.

A division of the site plan into three lots was approved in 2016. The site plan appears to keep the wastewater improvements as a separate lot. Ms. Creef recommends all of the parcels be combined into one large tract.

Ms. Creef noted setbacks on the site plan are for commercial structures. With the elimination of the commercial structures, the setbacks revert to residential setbacks. The group housing setbacks supersede the S-1 residential setbacks.

Ms. Creef recommended a timetable of three years to secure the permits for all three structures unless the developer requests a longer timeframe. Ms. Creef recommended no longer than five years. Mr. Robinson said the owner plans to begin construction mid-2021 on one of the houses. They expect the first house to be completed early 2022 to be followed immediately by the second single-family house. The condo will be built after the completion of the second house. Mr. Robinson said five years is a reasonable request.

The Board indicated consensus with the five year timetable.

Ms. Creef told the Board that no public comment was received for this project.

The Board discussed comments from the Fire Marshal. The Fire Marshal noted a water flow test is needed.

David Hines made a motion to recommend approval of the conditional use permit application subject to the following:

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1. The item will be forwarded to the Board of Commissioners once the water flow test has been satisfactorily completed and approval from the Fire Marshal secured.

Terry Gore seconded the motion.

Vote: Ayes – Unanimous

OTHER BUSINESS

Discussion of Camping Cabin Regulations Referred by Board of Commissioners

Donna Creef said the Dare County Board of Commissioners adopted revisions to the Dare County Travel Trailer Park and Campground Ordinance (TTPCO). These revisions were adopted as recommended by the Planning Board, which included a 50 percent RV to 50 percent cabin development standard for any park that includes camping cabins. The motion to adopt the revisions also included instructions to bring additional regulations to the Board for camping cabins at different ratios and review of our ordinances to ensure consistency among the TTPCO and other regulations especially group development regulations. Ms. Creef additionally noted at the Commissioners public hearing, the idea of a 30/70 split (30 percent RVs / 70 percent cabins) was offered by a speaker at the hearing. The option of having no limit on camping cabins was also discussed by the Board of Commissioners.

The Planning Board will address the Travel Trailer Park and Campground Ordinance at the December 14, 2020 meeting.

Approval of the 2021 Planning Board Meeting Dates and Submission Dates Calendar

Michael Barr made a motion to accept the 2021 Planning Board Meeting and Submission Dates Calendar as presented by Staff. Terry Gore seconded the motion.

Vote: Ayes – Unanimous

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Terry Gore and seconded by Buddy Shelton.

Vote: Ayes – Unanimous

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The meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Andrea DiLenge
Planning Board Clerk

APPROVED: December 14, 2020

John Finelli
Chairman, Dare County Planning Board



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County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

December 4, 2020

MEMORANDUM

TO: Dare County Planning Board

FROM: Donna Creef *Donna Creef*

RE: Outer Banks Dare Challenge Group Development

A site plan and conditional use permit application has been submitted by Outer Banks Dare Challenge. In 2017, the Dare County Zoning Ordinance was amended to allow recovery and treatment centers as a permitted use in the Highway 345 zoning district. However, since the proposal will feature more than one building, the group development standards of Section 22-31 will apply and the conditional use permit process will be followed.

The existing Dare Challenge building will be incorporated into the overall site with the parking improvements for the existing building and entranceway serving as one of the access points to the site. Four new structures will be constructed – one 9,920 square foot multipurpose building, two 1,768 square foot dormitories that will house sixteen people each and one 1,768 square foot for Dare Challenge staff. Parking for the dormitories and staff house will also serve for the multipurpose facility. The use of the multipurpose facility will be for residents and employees of Dare Challenge only. Because of this, I advised the project engineer that the number of spaces was adequate. I have suggested to the project engineer that a few parking spaces be provided as parallel parking in front of the dorms and staff house. From a practical standpoint, people will want to park closer to their residence and so it seems appropriate to have some parking area identified on the site plan. Andy Deel, the project engineer, is going to discuss my suggestions with the Dare Challenge people and we can discuss further at the Planning Board meeting.

There are no lights identified in the parking areas and some security lighting should be included on the site.

A state stormwater management permit will be secured before construction activities can commence. A large wet retention pond is proposed for the rear of the site. The site is adjacent to State-owned property that is mostly wetlands and a boat storage area. We recently reviewed a subdivision that also featured a large wet retention basin for which we required a barrier. The subdivision retention area was in an established residential community. Since the activities on the site will be limited to residents and employees of Dare Challenge, I do not think any sort of barrier is needed at this site.

I have prepared a draft conditional use permit as attached. I included an approval period of two years. We will want to discuss the adequacy of this timeperiod at the board meeting.



Conditional Use Permit No.6-
Dare County Sections 22-27.16,

2020
22-31, and 22-68.

Application of: Outer Banks

Dare Challenge

On _____ the Dare County Board of Commissioners considered the application of the Petitioner above named which application is on file with the Dare County Planning Department, and the Board finds as follows:

1. That the written application of Petitioner with attachments has been duly submitted to the Dare County Planning Board as required by Section 22 of the Dare County Code (hereinafter referred to as "Code");
2. That the application substantially complies with the requirements of the Code in that it requests uses permitted by conditional use permit under the Code, including residential structures in a group housing development;
3. The subject property is zoned Highway 345. This property is identified on the Dare County tax records as PIN 979810352441.
4. That the Dare County Planning Board recommended for approval the granting of this Conditional Use Permit as requested. The Planning Board made this recommendation on _____, 2020.
5. That the Dare County Board of Commissioners is empowered under sections of the Code set out above to grant uses such as allowed herein and insofar as the conditional use is hereinafter allowed it will not adversely affect the public interest;
6. That the hereinafter described conditional use is deemed to be reasonable and is not in degradation of the intent of the ordinance.
7. That upon the evidence received, the testimony presented, and the submitted written record, there are sufficient facts to support the issuance of this Conditional Use Permit according to the terms and conditions below:

NOW, THEREFORE, under the provisions of the Code, the following conditional use is granted to Outer Banks Dare Challenge for a residential recovery and treatment center group development subject to such conditions as are hereinafter set out:

CONDITIONAL USE: a residential recovery and treatment center group development consisting of five structures as depicted on Appendix B, which is included as part of this conditional use permit. One of the structures is an existing structure that will be incorporated into the group development and the remaining four structures shall be constructed.

CONDITIONS:

1. The four new structures shall be constructed as depicted on Appendix B. The structures will include a multipurpose facility consisting of 9,920 square feet, two dormitory structures featuring 1,768 square feet in each structure with an occupancy of sixteen people in each structure, and one residential staff house consisting of 1,768 square feet with an occupancy of sixteen people. A total of twenty-seven parking spaces shall be provided and improved with gravel. Two driveway entrances from Highway 345 shall be provided one of which currently serves as access to the site.
2. The existing structure, consisting of 3,604 square feet, will be incorporated into the group development as depicted on Appendix B. There will be no structural improvements to this structure as part of this group development approval.
3. A fire hydrant shall be installed as noted on Appendix B.
4. The structures shall be separated by a minimum of twenty feet as established in Section 22-31 of the Dare County Zoning Ordinance and elevated for compliance with the Dare County Flood Damage Prevention Ordinance.
5. Building permits for the structures shall be secured within 24 months from date of Board of Commissioners approval. The site improvements shall be constructed according to the North Carolina fire codes. An as-built survey for the property shall be submitted to the Planning Department upon the completion of all of the structures to confirm compliance with the terms of the Dare County Zoning Ordinance.
9. Any substantial changes to the site plan shall be reviewed by the Dare County Planning Board and approved by the Dare County Board of Commissioners. Modifications that are minor in nature and do not increase the number of structures or square footage of the structures may be authorized administratively by the Planning Director.
10. A violation of this Permit shall be a violation of the Code punishable as therein provided, and shall automatically void this Permit. Should a violation occur, the Petitioner shall be notified in writing by the Dare County Planning Department and corrective actions to remedy the violation undertaken as instructed.

11. All other terms and provisions of the Dare County Zoning Ordinance shall remain in full force and effect except as herein specifically permitted otherwise;

This _____ day of 2021

SEAL:

COUNTY OF DARE

By: _____
Robert L Woodard
Dare County Board of Commissioners

ATTEST:

By: _____
Cheryl Anby
Clerk to the Board

THIS PERMIT AND THE CONDITIONS HEREIN ARE ACCEPTED

By: _____
Outer Banks Dare Challenge

APPROVED AS TO LEGAL FORM

By: _____
Robert L. Outten
County Attorney

Project Narrative

Outer Banks Dare Challenge

Conditional Use Permit Application

Dare County

November 23, 2020

General

The Outer Banks Dare Challenge proposes to expand their existing facility at 2263 NC Hwy 345 in Wanchese onto recently acquired adjoining land. The project proposes the construction of four new buildings along with associated parking, access, stormwater, wastewater, and utilities infrastructure. The existing building is proposed to remain and continue its use along with the installation of the new facilities.

The project is located within the HWY 345 Zoning District. The existing use (Residential Recovery and Treatment Center) is authorized as a Permitted Use in Section 22-27.16(b)(18) of the Dare County Zoning Ordinance. That section of the ordinance also specifies that *"If more than one structure on parcel, it will be considered a group development subject to conditional use permit review"*. Therefore, a Conditional Use Permit is being requested to allow the installation of the four new structures on the site in addition to the existing building.

Existing Conditions

In early 2020, a land swap with the State of North Carolina allowed a portion of the land on the north side of the original Dare Challenge Parcel to be recombined with the Dare Challenge Parcel resulting in the 3.6 acre parcel which is the subject of this application. The subject parcel contains the existing Dare Challenge facility (3,604 sf building, gravel parking, outbuilding and dumpster pad) in its southern quadrant while the rest of the parcel remains undeveloped.

Proposed Conditions:

The existing facility is to remain unchanged with the exception of the relocation of the dumpster to a site within the expansion.

This project proposes to install four new buildings on the expanded parcel to better serve the needs of the Outer Banks Dare Challenge. These buildings will include a large multipurpose building placed centrally on the site with two residential dorm buildings and a staff house located towards the rear of the site. The specifics on these planned buildings are as follows:

Multipurpose Building:

- 9,920 sf single story metal building on slab foundation
- Will contain a kitchen, offices, classroom, chapel, computer room, and large open room for activities.
- Will serve only the residents and employees of the facility.

Residential Dorms (2):

- 1,768 sf single story metal building on slab foundation
- Will contain residential facilities

Staff House:

- 1,768 sf single story metal building on slab foundation
- Will contain residential facilities

Finish Floor Elevation for the proposed buildings is set at 8.2' in order to comply with Dare County's Regulatory Flood Elevation of 8'. To meet this requirement, the building pads will be filled 3'-4' and parking and drive aisles will be elevated accordingly.

Parking is provided to serve the residents and no outside use is proposed. Parking and drive aisles will be paved in gravel, with concrete parking and accessways for ADA routes. Fire access is provided all of the way around the multipurpose building.

Wastewater will be provided via on-site septic systems permitted through the Dare County Health Department.

Domestic water service will be provided via the Dare County Water system and a tap into the Dare County Water Main located in the Highway 345 right-of-way. A new Hydrant is proposed to be installed on the north side of the northern entrance to the site.

Stormwater Management will be provided via a proposed wet pond located to the rear of the site. An NCDEQ Stormwater Permit will be required for this project.

Consistency with Zone and Neighbors:

The Highway 345 Zoning District consists of a mixture of residential and commercial uses. This application requests an expansion of an existing use rather than a new use, and the history of the Dare Challenge facility within the district is testament to the harmony of this use in this location. Neighbors consist of State owned land (vacant) to the north and east, a boat storage yard to the south, and a sand mining facility on the other side of Highway 345 to the west. The expansion of this facility should have no adverse impact on the neighboring properties.



County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

December 4, 2020

MEMORANDUM

TO: Dare County Planning Board

FROM: Donna Creef, Planning Director 

RE: Camping Cabin Regulations

We will continue our discussion of camping cabins at the December 14, 2020 meeting. The Board of Commissioners has asked that the Planning Board give additional consideration to the idea of camping cabins and how they relate to campgrounds and other development regulations already included in the Zoning Ordinance especially lot coverage and density. I have identified four options for the Board's discussion as follows:

1. Allow camping cabins in campgrounds at 100% camping cabins with a density of fourteen units per acre with the other standards as attached. Some of standards are a repeat of current sections of the TTPCO. Under the current 50/50 ratio of twenty-eight units per acre of a travel trailer/cabin mix, cabins are allowed at fourteen units per acre. It seems logical to apply the fourteen unit per acre density limitation to 100% camping cabins developments. The Board should also discuss whether the minimum lot size should be adjusted to reflect the overall density limitation. A fourteen- unit per acre density equates to roughly 3,000 square feet of camping site. Lot coverage would remain at 60% based on the overall parcel size excluding wetland areas. Gravel roads and gravel parking are allowed in campgrounds. The allowance for gravel roads balances the lot coverage exclusion of wetland areas when compared to a 30% lot coverage for residential housing
2. Allow camping cabins in campgrounds at 100% camping cabins with a density of ten units per acre. The draft would be revised to reflect a density of ten units per acre applied to the overall parcel area with lot coverage limited to 60% of the parcel excluding wetlands. This ten-unit per acre density is consistent with the S-1 hotel-motel density. If the Board indicates the camping site size should be adjusted, 4,000 square feet per site should be used in conjunction with the ten-unit per acre limitation.

3. Increase in the ratio of camping cabins to traditional travel trailer sites to 70% cabins/30% travel trailer sites. The current TTPCO includes a 50/50 ratio. If this option is selected, I think the density limit should be decreased also. Using the density of fourteen units per acre of camping cabins as a benchmark, an overall density of 20 camping sites per acre is suggested for the 70% cabin/30% travel trailer ratio. Lot coverage would remain at 60% based on the overall parcel size excluding wetland areas.
4. Recommend no changes to the travel trailer/cabin ratio of 50/50 as originally recommended by the Planning Board. If this is the option favored by the majority of the Planning Board members, I suggest it be acknowledged that if developers and property owners continue to request a higher ratio, then the issue be re-examined after a twelve-month period.

It would be helpful for the Planning Board to indicate whether the 60% lot coverage for campgrounds that excludes wetlands is appropriate or if the language excluding wetlands should be deleted with the lot coverage based on the overall parcel regardless of the soil composition. As noted earlier, although the lot coverage excludes wetland areas, roads in campgrounds are not required to be paved which is the requirement for group developments. The previous version of the TTPO included a minimum campground size of two acres excluding the "roads, wastewater areas, common areas and the like". We modified this language to require two acres of contiguous area excluding wetland areas. There was already qualifiers in the TTPO on the lot size and how certain features were treated. The previous language was ambiguous which is why we modified it. I am comfortable with the wetland exclusion in the lot coverage and campground minimum and do not feel this exclusion creates any unreasonable inconsistencies with how lot coverage is calculated for other commercial uses or group developments.

Depending on what option is selected by the Planning Board will dictate the detail of revision needed. Options 1 and 2 will involve the addition of the camping cabin standards to the ordinance and deletion of the 50/50 ratio language in Section 160.22 (C). Option 3 will require revision to Section 160.22 and a change in the overall density language of 160.23 (B), freeform layout standards. Option 4 will not require any language change to the TTPCO. If a recommendation on one of the options is forthcoming on December 14, then I will assist with the specific language and ordinance references to include in a motion.

CURRENT TTPCO Language

160.22. General Standards for all PARKS:

(A) The design and development of a PARK shall preserve the natural terrain, natural drainage, existing topsoil, trees and natural vegetation to the maximum extent possible.

(B) All PARKS shall contain at least two acres of contiguous area.- This two acre minimum shall not include any coastal or freshwater wetland areas. (REVISED 10-19-2020)

(C) PARKS may be comprised of all travel trailers or may feature a mix of travel trailers, camping cabins, alternative camping units and camping tent sites. The preliminary and the final site plan shall identify the proposed use of each space or camping area. If a PARK is proposed to feature other camping units than travel trailers, a minimum of 50% of all camping spaces shall be designated and used as travel trailer spaces. (ADDED 10-19-2020).

160.23 (B) Freeform configuration

1. Camping spaces may be configured to allow flexibility in siting of camping spaces without the minimum area of 1500 square feet applied to each camping space. In lieu of the minimum camping space area, a maximum density of 28 camping spaces per one (1) acre of land shall be applied to free form camping areas. Density of freeform camping areas shall be adjusted based on this 28-space limitation for areas less than one acre that are designated for freeform camping spaces within the PARK boundaries.

160.24 Camping Cabins Developments

A. Camping cabins as defined in Section 160.03 of this ordinance may be permitted on a site without other travel trailers, alternative camping units or camping tents. A camping cabin development is a Park that consist of entirely camping cabins or a Park with ???% of camping cabins spaces in the entire Park. Any camping cabin development authorized as a stand-alone PARK shall contain a minimum of two acres of contiguous area. This two acre minimum shall not include any coastal or freshwater wetland areas.

B. Camping cabin developments may be permitted as conditional uses in the following zoning districts where campgrounds and travel trailer parks are allowable uses: CPR, R-2A, R-2B, R2-AH, ELR, ELVC, ELCS, RB, Hwy 345, C-3, I-1 and S-1.

C. Camping cabins shall be constructed according to the North Carolina State residential code, the Dare County Flood Damage Prevention Ordinance and all other applicable federal, state and local regulations.

D. Camping cabins shall be located on the site according to the setbacks for commercial uses in the applicable zoning district for the site.

E. Camping cabin developments shall be considered commercial land uses and the maximum overall lot coverage of impervious surfaces shall be 60% of the total parcel acreage excluding freshwater and coastal wetland areas unless a different lot coverage limitation for travel trailer parks/campgrounds is established by the applicable zoning district regulations for the site.

F. Density – Density of camping cabin development shall not **exceed ????? per acre** based on the overall size of the parcel. This density limitation shall apply to both fixed and freeform configurations.

F. Configuration of Camping Cabin Spaces

Camping cabin spaces may be constructed with a fixed site layout with individual camping spaces configured in a linear layout based on a minimum camping space area or camping spaces may be constructed with a freeform layout with camping spaces configured in a non-linear layout whereby camping spaces are separated by a minimum distance. A combination of the two formats may be used with the development boundaries.

1. Fixed configuration

Each camping cabin space shall consist of a minimum area of **1,500 square feet** with a minimum width of 30 feet with side space lines at right angles or radial to street lines. Each camping cabin space shall be designated on the ground by markers or monuments and identified on the preliminary and final site plans.

2. Freeform configuration

Camping cabin spaces may be configured to allow flexibility in siting. In lieu of the minimum camping space area, a maximum density of ????? camping cabin spaces shall be applied to the overall parcel. If wetland areas are proposed to be filled as part of the development, then the density calculations shall be based on the acreage amounts after any wetland filling occurs.

H. Camping cabin units shall be separated from other camping units or other structures within the development by a minimum of 15 feet. This separation shall be measured from the footprint of a camping cabin to the footprint of any adjoining camping cabin or other structure in the development or PARK. A camping cabin building envelope depicting the area of separation between each camping cabin shall be designated on the preliminary and final site plans.

I. Camping cabins shall not exceed 600 square feet of enclosed area. The square footage of decks and unenclosed areas shall not exceed 50% of the square footage of a camping cabin but in no instance shall the square footage of decks and unenclosed areas exceed a maximum of 300 square feet. Steps, stairs, and stairways shall not be included in the square footage of the unenclosed areas.

J Camping cabins may contain sleeping, restroom and kitchen facilities.

K. A maximum of two camping cabins may be connected by unenclosed areas according to the square footage limitations of subsection I of this section and the combined units shall be separated by a minimum of fifteen (15) feet from other cabins or structures.

L. A minimum of one 10' x 20' parking space for a motor vehicle shall be located in the camping cabin space and identified on the preliminary and final site plans. In freeform layouts parking spaces shall be located within the camping cabin building envelope. Parking spaces may be of pervious or impervious surfaces. Asphalt millings or recycled asphalt shall be counted as an impervious surface in lot coverage calculations.

M. The provisions of Section 160.26 Water and Wastewater of this ordinance shall not apply if the development features 100% camping cabins which include restroom facilities in each camping cabin. Section 160.26 shall apply to camping cabins developments with travel trailer sites, alternative camping unit spaces or tent camping spaces.

N. The development shall have a buffer strip extending along the entire perimeter of the development. The planting strip shall not be a portion of any lot, road, or private drive. The buffer strip shall consist of a planted strip of land at least five (5) feet in width composed of indigenous deciduous and/or evergreen trees, spaced not more than ten (10) feet apart, and not less than one (1) row of indigenous dense shrubs, spaced not more than five (5) feet apart and five (5) feet or more in height after one growing season, which shall be planted and maintained in a healthy, growing condition by the property owner. The buffer shall be perpetually maintained by the development owner.

O. Roads and Access

1. Internal access roads shall be used to provide access to all camping cabin sites.
2. Internal access roads shall be a minimum width of twenty (20) feet for two-way traffic. The design of any cul-de-sac or turnaround area shall be consistent with North Carolina Department of Transportation standards.
3. Internal access roads shall be improved with eight (8) inches of ABC or STBC type 3 base course materials. Recycled asphalt or asphalt millings may be used but if used then such material shall be counted as an impervious surface in lot coverage calculations.
4. Road improvements shall be maintained by the development owners.

P. Recreational Amenities

Recreational amenities may be provided in the development and shall be identified as common areas on the preliminary and final site plans. Such amenities shall be constructed according to all applicable federal, state, and county ordinances. Ownership of the recreational amenities shall be retained by the development owners. The construction of swimming pools at any individual camping cabin space shall be prohibited.

Q. There shall be no door-to-door-trash pick-up provided by Dare County in the camping cabin development.

R. The length of occupancy of any travel trailer, camper cabin, alternative camping unit and/or camping tent shall be less than 90 consecutive days.

S. Ownership of camping cabin spaces shall be retained by the development owners. Camping cabins shall not be individually conveyed or sold in fee simple title, as condominiums, fractional ownership or interval ownership. Camping cabins shall be used as temporary quarters or shelter during periods of recreation, vacation, leisure time or travel and shall not be used for permanent living quarters.

T. Subsections 160.22 General Standards, 160.25 Suitability of Land, 160.27 Storm Water Drainage System, 160.31 Recreational Amenities and 160.60 Enforcement and Administration shall apply to any camping cabin development.