

BALDWIN COUNTY COMMISSION AGENDA ACTION FORM

Agenda Item Preparation Procedures

AGENDA ITEM NUMBER: _____

CB3

Work Session Meeting Date: 6/12/2012 **Commission Meeting Date:** 6/19/2012

TITLE/SUBJECT: Case No. TA-12003 Amendment to the Baldwin County Zoning Ordinance which pertains to Recreational Vehicle (RV) Parks, Article 5 (proposed Sections 5.5 and 5.6) and Section 13.9

TO: The Honorable Members of the Baldwin County Commission
THRU: David Brewer, County Administrator
FROM: Vince Jackson, Planning Director



STAFF RECOMMENDATION:

Adopt Resolution No. 2012-060, which APPROVES an amendment to the Baldwin County Zoning Ordinance as it pertains to Recreational Vehicle (RV) Parks, Article 5 (proposed Sections 5.5 and 5.6) and Section 13.9.

PREVIOUS COMMISSION ACTION: yes X no _____ **Date:** March 20, 2012

The County Commission authorized Planning and Zoning Staff to begin the process of advertising the proposed amendment as it pertains to Recreational Vehicle (RV) Parks, Article 5 (proposed Sections 5.5 and 5.6) and Section 13.9.

BACKGROUND:

Baldwin County Planning & Zoning Commission Meeting Date: May 3, 2012

Motion: Recommend Approval to the Baldwin County Commission per Staff recommendations.

Motion made by: Arthur Oken

Motion seconded by: Harold Brantley

MEMBER	IN FAVOR OF MOTION MADE	OPPOSED TO MOTION MADE
Arthur Dyas*		
Arthur Oken	X	
Van McCamish	X	
Doug Holton		X
George Williams	X	
Cara Stallman	X	
Billie Jo Underwood	X	
Harold Brantley	X	
Charles Browdy	X	

**In accordance with Planning & Zoning Commission Policy, the Chairman only votes in the event of a tie.*

Case No. TA-12003
Amendment to the *Baldwin County Zoning Ordinance*
Recreational Vehicle (RV) Parks, Article 5 (proposed Sections 5.5 and 5.6) and
Section 13.9
June 19, 2012

Proposed Amendment Information

General Information:	Amendment to the Baldwin County Zoning Ordinance which pertains to Recreational Vehicle (RV) Parks (Article 5 and Section 13.9)
Lead Staff:	Vince Jackson, Planning Director
Attachments:	Text of proposed amendment included within report

Summary and Recommendation

I. DISCUSSION:

This proposal would create two zoning designations, RV-1 and RV-2, for Recreational Vehicle parks based on density. These categories would be standalone zoning designations which would be located in proposed Section 5.5 and 5.6, respectively. It also adds density levels to Section 13.9 and expands the number of designations where a conditional use can be requested by adding B-2, Neighborhood Business District and OR, Outdoor Recreation District, which are less intense designations. RV parks which receive conditional use approval under B-2 or OR would be limited to six sites per acre. In addition, the proposal specifies a 30' landscaped buffer for RV parks located adjacent to residential area and provides clarification as to activities which may take place in a grandfathered park. When permission was requested to advertise this amendment, staff presented three options for consideration. This more comprehensive approach is the only option being brought forward. In the future there are other issues related to recreational vehicles and RV parks including length of stay, selling of RV lots and the use of RVs on waterfront lots with no principal structure, which may need to be addressed.

The sections proposed for amendment are highlighted in red with deletions to the text being indicated by the strike-through method and additions underlined.

The proposed amendment is listed as follows:

Section 5.5 RV-1, Recreational Vehicle Park District

5.5.1 Purpose and intent. The purpose of this section is to establish a zoning designation for recreational vehicle parks.

5.5.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the RV-1, Recreational Vehicle Park District:

- (a) Extraction or removal of natural resources on or under the land.
- (b) Water well (public or private).
- (c) Silviculture.
- (d) Recreational Vehicle Park.
- (e) Accessory structures and uses.
- (f) Church or similar religious facility.

5.5.3 Density. The maximum number of recreational vehicle sites developed under RV-1 shall be 15 sites per acre.

5.5.4 Land Area. The minimum land area shall be three (3) acres.

5.5.5 Standards. Recreational vehicle parks developed under the RV-1 designation shall meet all standards, procedures and requirements found in Section 13.9 of the zoning ordinance.

Section 5.6 RV-2, Recreational Vehicle Park District

5.6.1 Purpose and intent. The purpose of this section is to establish a zoning designation for lower density recreational vehicle parks.

5.6.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the RV-2, Recreational Vehicle Park District:

- (a) Extraction or removal of natural resources on or under the land.
- (b) Water well (public or private).
- (c) Silviculture.
- (d) Recreational Vehicle Park.

(e) Accessory structures and uses.

(f) Church or similar religious facility.

5.6.3 Density. The maximum number of recreational vehicle sites developed under RV-2 shall be 6 sites per acre.

5.6.4 Land Area. The minimum land area shall be three (3) acres.

5.6.5 Standards. Recreational vehicle parks developed under the RV-2 designation shall meet all standards, procedures and requirements found in Section 13.9 of the zoning ordinance.

Section 13.9 Recreational Vehicle (RV) Parks

13.9.1 *Purpose.* The purpose of this section is to establish minimum standards for recreational vehicle parks.

13.9.2 *Procedures and standards.*

(a) *Land use certificate required.* All recreational vehicle parks are subject to the standards contained in this section and will be required to obtain a land use certificate prior to being granted a building permit.

~~(b) *Where permitted.* Except as provided in Section 2.3.26.4(b) and Section 2.3.31.4, recreational vehicle parks are permitted by right under the B-4, M-1 and M-2 zoning designations, by conditional use approval under the B-3 designation and by special exception approval under the RR and RA zoning designations. A recreational vehicle shall not be occupied as a living quarter unless it is located in a recreational vehicle park as herein provided or as provided in Section 12.2.2. No recreational vehicle shall be used as a permanent dwelling. Continuous occupancy extending beyond 4 months in any 12-month period shall be considered permanent occupancy. Recreational vehicles may be parked or stored in residential districts as provided in Section 15.3.9: Storage and parking of trailers and commercial vehicles.~~

(b) *Where permitted.* Except as provided in Section 2.3.26.4(b) and Section 2.3.31.4, recreational vehicle parks are permitted as follows:

1. High Density

- A. RV-1, B-4, M-1 and M-2 by right.
- B. B-3 by conditional use approval.
- C. RR, RA and CR by special exception approval.

2. Low Density

- A. RV-1, RV-2, B-4, M-1 and M-2 by right.
- B. B-2, B-3 and OR by conditional use approval.
- C. RR, RA and CR by special exception approval.

(c) Occupancy. A recreational vehicle shall not be occupied as a living quarter unless it is located in a recreational vehicle park as herein provided or as provided in Section 12.2.2. No recreational vehicle shall be used as a permanent dwelling. Continuous occupancy extending beyond 4 months in any 12 month period shall be considered permanent occupancy.

(d) Storage and parking. Recreational vehicles may be parked or stored in residential districts as provided in Section 15.3.9: Storage and parking of trailers and commercial vehicles.

~~(e)~~(e) Maximum density. ~~The maximum number of campsites is 15 per acre.~~

- 1. High Density: 15 campsites per acre
- 2. Low Density: 6 campsites per acre

~~(d)~~(f) Land area. The minimum land area of a recreation vehicle park ~~is~~ shall be three (3) 3 acres.

~~(e)~~(g) Use. Use of spaces in recreational vehicle parks is limited to recreational vehicles.

~~(f)~~(h) Water and sewer facilities.

1. Water. Each recreational vehicle park shall be served with a public/private water supply system capable of providing domestic water use and fire protection.

2. Sewer. Each recreational vehicle park shall be served with sanitary sewer facilities meeting all requirements of the Baldwin County Health Department.

~~(g)~~(i) Setbacks.

1. No space shall be so located that any part intended for occupancy for sleeping purposes shall be within 30-feet of any property line.

2. Recreational vehicles must be separated from each other and from other structures by at least 10-feet.

~~(h)~~(j) Access.

1. No recreational vehicle park shall be located except with direct access to a paved county, state or federal highway, with a minimum lot width of not less than 50-feet for the portion used for entrance and exit.

2. No entrance or exit shall be through an existing residential subdivision.

3. Access drives must be a minimum of 24-feet wide for a two-way street and 12-feet wide for a one-way street and must be improved with a suitable hard surface permanent type of pavement such as asphalt, concrete, limestone or other similar surface approved by the Planning Commission.

~~(j)~~(k) *Accessory uses.* Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a recreational vehicle park are permitted as accessory uses.

~~(j)~~(l) *Sites.*

1. Each recreational vehicle site must be at least 1,600 square feet in area.

2. Each recreational vehicle site must contain a parking pad improved with a suitable all-weather surface.

3. Each recreational vehicle site must contain at least one (1) off-street parking space improved with a suitable all-weather surface.

(m) *Buffering.* In the event a recreational vehicle park is located adjacent to residentially zoned property, a landscaped buffer with a minimum width of 30-feet shall be provided. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier. No buffer will be required if the recreational vehicle park is located adjacent to agricultural, commercial, industrial or recreational property.

(n) *Existing recreational vehicle parks.* Recreational vehicle parks which exist at the time of zoning adoption or amendment are grandfathered and may continue to operate lawfully provided that the operation is not discontinued for more than one (1) calendar year or 365 consecutive days. The owner of an existing RV park may conduct maintenance and repairs which may include the replacement of accessory structures, hook-ups and utilities subject to the following conditions:

1. The cost of replacement shall not exceed 50 percent of the value of the park.

2. The recreational vehicle park shall not be expanded.

3. The footprints of accessory structures shall not be enlarged or moved.
4. The number of recreational vehicle spaces shall not be increased.

If the owner of an existing recreational vehicle park wishes to expand the recreational vehicle park, construct additional spaces and facilities or re-arrange spaces and facilities, the park shall at that time be brought into conformity with all requirements of this section.

II. RECOMMENDATION:

Staff recommends that the above listed amendment to the Baldwin County Zoning Ordinance, which pertains to Recreational Vehicle Parks (Article 5 and Section 13.9), be **APPROVED**.

FINANCIAL IMPACT: N/A _____

1. Total cost of recommendation: \$ _____
2. Are the funds budgeted for this recommendation? _____ **no** _____
If not, why not: _____
3. Budget line item to be used: _____
Balance remaining in the line item after recommended expenditure:
\$ _____
4. Will the recommendation create a need for continued funding, which is not included in the current budget? **yes** _____ **no** _____
If yes, how will this funding requirement be met in the future? _____

Budget Manager Approval: _____ **Date:** _____

LEGAL IMPACT: N/A _____

1. Are any legal documents required to be executed if this recommendation is approved? Yes _____ No _____
2. Is Legal creating _____ reviewing _____ or revising _____ the documents? If not, why? _____
3. Are the documents attached to this recommendation? Yes _____ No _____
4. Are the terms of the document properly reflected in the *Staff Recommendation*? _____
5. Department Notes: _____

Approved as to form only: _____ / _____
Counsel **Date**

Legal Notes: _____

Counsel **Date**

PROOF OF ADVERTISING:

[Advertisement Requirements in Media Publications](#)

1. Was there or will there be an advertisement required for this recommendation?
yes X **no** _____

If yes, in what newspapers did or will the advertisement appear? All Gulf Coast Newspapers in general circulation within Baldwin County.

If advertisement has already taken place, is the "Legal Affidavit/Proof of Publication" from each newspaper attached? **yes** _____ **no** X (see notes below)

If not, why? The regular legal publication for the Baldwin County Planning & Zoning Commission Public Hearing ran on April 17, 2012. In addition and as required, the regular legal publication for the Baldwin County Commission Public Hearing for Case No. TA-12003 is currently running as well as the required display, one-quarter page advertisement. Regular legal run dates are May 29, 2012, June 5, 2012, and June 12, 2012. Display, one-quarter page run date is June 12, 2012. Proof of publication for both the Baldwin County Planning and Zoning Commission and the Baldwin County Commission public hearings are forthcoming and will be provided to the Records Manager prior to the final public hearing date of June 19, 2012.

CONSISTENCY WITH B.C. STRATEGIC PLAN – 2006-2016: **N/A** _____

[2006-2016 - B.C. Strategic Plan](#)

1. Is the recommendation consistent with goals set forth in the Strategic Plan?
yes _____ **no** _____

If yes, what is the strategic objective and how does the recommendation address this goal? _____

If no, what is the justification for approving the recommendation? _____

POLICY IMPACT: **N/A** _____

[Baldwin County Policies and Procedures Library](#)

1. Is the proposed recommendation consistent with Commission policy? **yes** _____ **no** _____
2. Which Commission policy is applicable to this recommendation?

3. If an exception to Commission policy is required, what is the justification for this exception? _____

PERSONNEL IMPACT: **N/A** _____

1. Open, funded position? Yes _____ No _____ Position Number _____
2. Newly created position? Yes _____ No _____ Position Number _____
- Describe changes or additions needed _____

Personnel Director: _____ **Date:** _____

IMPLEMENTATION:

1. Department and individual responsible for follow up activities on recommendation:
Baldwin County Planning & Zoning Department.
2. Specific action/actions required as follow up: Amend Zoning Ordinance
3. Are other Departments/Individuals necessary to complete the follow up activities? If so, specify: N/A

ALTERNATIVES:

ATTACHMENTS:

1. Resolution Number 2012-060
2. Attachment "A" Text of Proposed Amendment
3. Baldwin County Planning and Zoning Commission Minutes – May 3, 2012
4. Proof of publication