



Staff Report

Planning Commission

January 11, 2023

Updated February 8, 2023

Case #: C-23-3
Applicant: Jack Knapp
CUP Request: To establish a RV campground in the A-2 Zoning District
Property Location: Nash Road, Dinwiddie
Tax Map Parcel(s): 44-26A
Property Size: 186.1 +/- acres
Magisterial District: Rowanty

CASE OVERVIEW

The applicant, Jack Knapp, is requesting a conditional use permit to establish a campground on the following described property. The property is located on the north side of Nash Road (Route 647) approximately 0.43 miles west of the intersection with Route 1 and is further identified as Tax Map Parcel No. 44-26A. The property is zoned Agricultural, General, District A-2 which allows for a campground with a conditional use permit. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Planned Growth Area, which recommends residential and commercial development for this general area.

ATTACHMENTS

CUP Application, Site Plan, Property Location Map, Flyer, Proposed Policies

LAND USE/ZONING ANALYSIS

The subject property is located on the north side of Nash Road approximately 0.43 miles west of the intersection with Route 1. The property is currently an undeveloped forested parcel surrounded by parcels of varying size. Some parcels are similar in being undeveloped and forested while others are smaller with residential uses. Larger parcels are generally located to the west which transitions into the Rural Conservation Area further along Nash Road. While all adjoining properties are zoned A-2, the subject property is located within close proximity to the Dinwiddie Courthouse area which contains a mix of commercial and residential zoning based on the presence of business and governmental service related uses.

The applicant proposes to develop a campground for recreational vehicles (RVs) to be known as Peaceful Pines RV Park. The Zoning Ordinance defines a campground as meaning and including (but not limited to) *“tourist camps, travel trailer camps, recreation camps, family campgrounds, camping resorts, camping communities or any other area, place, parcel or tract of land on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and/or facilities is granted gratuitously, by a rental fee, by lease, by conditional sale or by covenants, restrictions and easements”*.

In accordance with the applicant's conceptual site plan, the campground will be accessed with one entrance from Nash Road (Route 647) and contain 300 full hookup sites, a pavilion/office building and an area for RV storage. "Full hookup" means each campsite will be provided with services including an electric meter, well water, sewer, broadband Wifi and cable TV. Twelve of the 300 sites will be designed for ADA access. The pavilion and office building will be located towards the front entrance and contain the main rental office along with other areas for use by the campers including toilets, showers, sinks, washers, dryers, pet washing station and other common areas for seating, games and picnic tables. Walking trails will be provided on the remainder of the property in accordance with the Zoning Ordinance requirement to reserve 10% of the land area for recreation.

There are currently four campgrounds in the County, including Camptown Campground (Case C-88-7), Lake Chesdin Campground (formerly Cozy Cove Campground), Picture Lake Campground (Case C-88-2) and Whippervock Marina and Campground (Case C-86-5). Virginia Motorsports Park has also received approval to operate a campground (Case C-97-5).

Sec. 22-241. of the County Code outlines fifteen (15) minimum requirements for campgrounds exclusive of state regulations. These minimum requirements are as follows (with staff comments in bold italicized text):

1. Each campground shall contain a minimum of ten acres, a minimum of 50 campsites, and shall not exceed an average of 20 campsites per acre inclusive of service roads, toilet buildings, recreational areas, etc.

The application complies with this requirement. The subject property is a total of 186.1 acres which permits for more campsites than what is proposed with the request.

2. All campgrounds shall have a landscaped or wooded setback line of 50 feet from any highway or public road right-of-way or 75-foot setback from the centerline of any highway or public road, whichever distance is greater.

The application complies with this requirement. The property is currently forested which will allow for existing natural vegetation to assist with screening the project from the public road and adjacent properties. The applicant intends to remove only what is necessary for development of the property which will be located more than 50 feet from the right-of-way.

3. Each campground shall have at least 25 feet of open space abutting all adjoining property and shall be contained within a board fence, evergreen hedge or screen which shall be a minimum of eight feet in height or of sufficient density to screen the site from adjacent properties. All boarders shall be maintained properly in compliance with the intent of this requirement. No fence, hedge or screen need be constructed abutting any highway or public road provided subsection (2) of this section is complied with.

The application complies with this requirement. The property is currently forested which will allow for existing natural vegetation to assist with screening the project from the public road and adjacent properties. The site plan indicates that campsites will be no closer than 75 feet to property lines.

4. All ingress and egress shall be to the required standard of the Virginia Department of Transportation.

The application complies with this requirement which will be further evaluated during the site plan review process. The concept plan proposes one entrance from Nash Road. Preliminary comments from VDOT indicate that a commercial entrance will be required.

5. Streets within the campground shall be constructed with stone of sufficient width and depth to facilitate vehicular movement within the campground. Proper drainage of the site shall be provided.

The applicant proposes to utilize gravel for all roads and campsites within the campground. The entrance and parking area around the pavilion will be paved. The project will be reviewed for compliance with stormwater and erosion and sediment control regulations during the site plan review process.

6. A minimum of ten percent of the gross land area of the campground shall be reserved for recreational uses.

The application complies with this requirement. The property is a total of 186.1 acres which requires a minimum of 18.61 acres devoted to recreation.

7. Campground owners/operators must create a set of rules and regulations of his/her park. Such rules and regulations shall be enforced by the owner/operator. A copy of these rules and regulations shall be filed in the office of the county department of planning and community development.

The application complies with this requirement. A copy of the proposed rules and regulations was submitted with the application and is enclosed with attachments.

8. Before an application for a permit for the construction of a campground shall be approved by the board of supervisors, or its agent, the applicant shall, in lieu of construction, furnish cash escrow or a performance bond in an amount calculated by the board of supervisors, or its agent, to secure the required improvements in a workmanlike manner and in accordance with established or approved specifications and construction schedules, which bond shall be payable to and held by the county. In lieu of bond, development may be presented for inspection in completed form.

The applicant proposes to complete construction of the entire campground at the time of commencing operation. The campground will not be constructed in phases.

9. Campground site plan development shall follow procedure and approval as set forth for subdivisions in Chapter 18 of this Code.

This requirement will be addressed at the time of the site plan review process.

10. No existing campground shall be enlarged or extended unless the addition to the campground is made to conform to all requirements contained herein.

This requirement is not applicable. An enlargement or extension of the campground would require submission of a conditional use permit application.

11. No camping unit shall be placed in a campground until development standards are met, either by completion of plan or by bond.

The applicant proposes to complete construction of the entire campground at the time of commencing operation.

12. Each camping unit space shall be directly accessible from an approved internal street. No direct access to camping units spaces from public streets shall be permitted.

The application complies with this requirement. Access to campsites will be from an internal street within the subject property.

13. All permanent buildings and structures shall be constructed under the provisions of the Uniform Statewide Building Code and the Board of Health. Any reconstruction, alteration, conversion or repairs required by the application of the Virginia Code and the regulations of the board of health shall be carried out in accordance with the provisions of the Uniform Statewide Building Code.

The building permit review process will ensure compliance with this requirement.

14. Permanent structures may be constructed on individual campsite lots but may not be permanently attached to the camping unit. The structure(s) are limited to an A-frame roof supported by posts and/or a porch/deck. The length of the A-frame structure and porch/deck shall not exceed the length of the camping unit by more than 12 inches. The opening under which the camping unit sits shall not exceed the width of the unit by more than 12 inches or the height of the unit by more than 12 inches (sitting level). The maximum width of the porch/deck shall be eight feet. The maximum overhang at the eaves of the roof or deck/porch is not to exceed 12 inches. Porches may have wainscoting to a height not exceeding three feet and must be of the same material as the gable ends, if applicable. The porches may be screened. Two weather-proof outlets may be provided and a ceiling fan outlet to serve the deck/porch but such outlet shall be limited to one 120 volt, 20-amp circuit.

The applicant has prohibited permanent construction by the campers within the campground.

15. Any nonconforming structure in existence on the date of adoption of this ordinance which is substantially destroyed or which deteriorates or is damaged so that substantial replacement of the structure is necessary, shall be replaced only with a structure that conforms to and satisfies all requirements of this section.

This requirement is not applicable.

The subject property is designated by the Comprehensive Land Use Plan (the “Plan”) as being within the Planned Growth Area which “*is designed to accommodate medium to high density, single-family and multifamily subdivision development, as well as complimentary service and convenience commercial activities and regional commercial centers*”. A portion of the property is also located within the Route 1 Water/Sewer Overlay which extends ½ mile out (east and west) from the centerline of the Route 1 corridor from the southern urban area boundary down to the Dinwiddie Courthouse community area. According to the Plan, “*when development occurs in this water/sewer overlay, subsequent public water and sewer infrastructure improvements must be extended by the developer to the proposed development*”. Public water and sewer are not available to the subject property, therefore the application proposes to utilize well and septic systems.

OVERVIEW OF IMPACTS

Public Utilities, School System, & Public Safety

The project proposes to utilize on-site well and septic systems, therefore there is no impact to public utilities. As the project is not intended for permanent occupancy, impacts to the school system should be minimal. Additional discussion regarding long term campers may be needed

with the applicant. Because the campground will be gated, access for public safety response will need to be coordinated.

Transportation

The subject property has direct access to Nash Road (Route 647) and the site plan proposes one main entrance. Initial comments from VDOT indicate that a commercial entrance will be required. Based on the property's location less than 1/2 mile from Route 1, trips generated to the property should primarily occur on Nash Road from Route 1.

RECOMMENDATIONS & CONDITIONS

As set forth in the Zoning Ordinance Sec. 22-22. (Conditional use permits generally), “Any provisions of this Chapter which allow a use with a conditional use permit shall not prohibit the Board of Supervisors from denying an application for a particular permit upon finding, after public hearing, that the issuance of such permit would not be in compliance with the intent, purpose and design of this Chapter and/or Section 22-2 of this Code”. Section 22-2. (Purpose and design of chapter) states that “For the purpose of promoting the health, safety and general welfare of the public and of further accomplishing the objectives of Va. Code Section 15.1-427 of the Code of Virginia, 1950, as amended, the provisions of this chapter are hereby adopted as the zoning regulations of the County, together with the accompanying map. This Chapter has been designed:

- 1) *To provide for adequate light, air, convenience of access and safety from fires, floods and other dangers;*
- 2) *To reduce or prevent congestion in the public streets;*
- 3) *To facilitate the creation of a convenient, attractive and harmonious community;*
- 4) *To expedite the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, schools, parks, forests, playgrounds, recreational facilities, airports, and other public requirements;*
- 5) *To protect against destruction of or encroachment upon historic areas; and*
- 6) *To protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation or loss of life, health or property from fire, flood, panic, or other dangers.”*

Planning staff has reviewed the applicant's request and recommends approval of the requested conditional use permit, subject to the following conditions:

1. Improvements and uses shall generally conform to the conceptual site plan submitted with the application entitled “Proposed Peaceful Pines RV Park, Nash Road, Dinwiddie, VA” and containing Sheets C100 and C101.
2. A maximum of 300 campsites shall be located in the campground as shown on the conceptual site plan.
3. The campground shall operate subject to the Peaceful Pines RV Park Rules and Regulations submitted with the application and dated January 30, 2023.
4. A buffer a minimum of 75 feet in width shall be established and maintained along the perimeter of the property adjoining Tax Map Parcels 44-26 and 44-27. Existing vegetation shall be maintained where possible and where landscaping is required to

complete the buffer, evergreen trees shall be planted as determined by the Zoning Administrator. Signage and security fencing may be located in the buffer as necessary to prevent trespass onto adjacent properties.

5. The campground shall be occupied only by persons in camping units as defined in state regulations and only by such persons when they are involved in recreation, vacation, leisure time or travel. Permanent occupancy of a campsite is prohibited. The campground operator must adopt and enforce rules and regulations that prohibit permanent occupancy of a campsite and must limit guest stay durations.
6. All water sources and sewer or septic facilities shall comply with the regulations of the Board of Health, the State Water Control Board, and, if connected to public utilities, the Dinwiddie County Water Authority. All campsites and amenities must have direct connections to the sewage disposal system. Portable waste water collection tanks shall be prohibited.
7. The campground shall not create any adverse impacts to existing wells. Prior to issuance of any land disturbance permit for any portion of the property, the operator must commission a hydrogeological study and aquifer test, the results of which must be submitted to the Zoning Administrator. The study must be conducted by a Virginia Certified Professional Geologist hired by the operator. No land disturbance permit will be issued for any portion of the property without a Virginia Certified Professional Geologist's confirmation that the campground does not and will not create any adverse impacts to existing wells. Prior to any changes impacting the amount or rate of the water draw for the campground, the operator must demonstrate the proposed changes will not create any adverse impacts to existing wells. Confirmation must be provided by a Virginia Certified Professional Geologist hired by and at the expense of the operator.
8. Any exterior lighting utilized in the campground shall be dark sky compliant and shall not exceed ½ foot candle at the property line.
9. Any special event the operator hosts on the property that is open to the public shall be required to obtain a special event permit in accordance with Dinwiddie County Code.
10. The campground operator shall maintain a register for each campground lot for at least the previous year which register shall be available to local law enforcement officers at the written request of the Sheriff or Captain of the State Police, and the Department of Health Commissioner, upon request, during his inspection of the campground. The register shall contain:
 - a. The names and addresses of each camper, owner and occupant;
 - b. The date of the campsite occupied;
 - c. The number of each camper who has on the campground a vehicle requiring a license.
11. The operator must designate and maintain at least one point of contact for all questions or complaints related to the campground during construction and operation. A toll-free phone number and email address must be provided for communication by the public and guests of the campground with the designee. The designee will be available in person and by phone 24 hours per day, 7 days per week, 365 days per year and shall respond to any questions or complaints related to the campground within a 24-hour timeframe.
12. The campground shall be subject to all provisions, rules and regulations of the Commonwealth of Virginia including provisions of construction and maintenance.

13. The above conditions are required in addition to and not in substitution of other requirements prescribed in Dinwiddie County Code.

Planning Commission

Since this is a zoning matter, the standard statement regarding the Planning Commission's recommendation on this zoning matter must be read. In order to assist, staff has prepared the following motions:

Motion to recommend approval to the Board of Supervisors with conditions:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit request, C-23-3, as presented, be recommended for approval with conditions to the Board of Supervisors.

Motion to recommend disapproval to the Board of Supervisors:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (3) & (7) and Zoning Ordinance Sections 22-22 and 22-2 it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit request, C-23-3, as presented, be recommended for disapproval to the Board of Supervisors as the issuance of a conditional use permit would not be in compliance with the intent, purpose, and design of the Dinwiddie County Zoning Code.