



Staff Report

Board of Supervisors

March 21, 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 Rules & Regulations

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 and broadband Wifi. 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 Whippernock Marina and Campground (Case C-86-5). Virginia Motorsports Park has also obtained 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 per the proposed rules and regulations.

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. The applicant has proposed a maximum stay of eight months in the

campground as reflected in the recommended conditions. 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. This maximum is inclusive of any owners, operators, managers, staff or employees residing on site.
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 (defined as a period exceeding 8 months) is prohibited excluding any owners, operators, managers, staff or employees. 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 except in plumbing system emergencies.
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 or 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 – January 11, 2023

Mr. Robinson asked if there were any questions from the Commissioners.

Mr. Tucker asked if the applicant has the option to choose well and septic when option four states “connection to public water and sewer must be done.”

Mr. Bassett said the short answer is you are correct. When the language states “it must be done” the applicant has to comply. When water and sewer is extended out to the area the property owner must show, with a letter from the Dinwiddie County Water Authority, that they have been approved to connect to public water and sewer in the area. If water and sewer is not available through the Water Authority, the applicant will have to show how they will provide a centralized system of getting public water and public sewer to serve the RV campground.

Mr. Cunningham said there are a lot of phrases mentioned in the requirements that I would like to see changed. They can leave responses from the applicant wide open. Phrases like, “does not intend,” “may be or intends to.” I would like those phrases to say, “The applicant will do this or that.” The current phrases, to me, do not have a permanency to them. If we said that something ca not be done and the applicant does it, then we can hold the applicant accountable, but we cannot hold the applicant accountable for something he said he intends on doing. Lastly, who polices the existing campground/campsites in the County and how many calls has the Sheriff’s Department or emergency services had concerning them.

Mr. Hayes said he has two questions. Of the four campgrounds we have in the County, how many of them have permanent residences? Also, how many permanent residents are there in the four camp grounds we have? My second question is of those four locations, what are their sizes compared to this request? Lastly, what about the one entrance in and out? Even though public safety said they do not have a problem with it, I believe it needs to be addressed, because it is inconsistent with what we have done for subdivision and apartment complexes of this size.

Mr. Titmus asked how many campground/campsites do we have in Dinwiddie County and what is the average occupancy rate for the campground/campsites. Lastly, I would like to know, what the driving factor for a 300 lot campsite is.

Dr. Prorise said he would like to know what the County Ordinance says about the length of time someone can stay at a campground/campsite in Dinwiddie County. What are we doing about security? What are we doing about noise (parties or family outings)? In addition, he said he agrees with Mr. Cunningham about ensuring we have words and phrases that have more of a permanency to them.

Mr. Bassett said we currently do not have an ordinance that addresses the length of time or the number of days one can stay at a campground/campsite. It can be added in the conditions if that is something the members want to add.

The Chairman asked if there were any more questions for Mr. Robinson. He said if not would the applicant like to come forward and add anything.

Mr. Jack Knapp, 1503 Black Heath Road, Midlothian, VA 23113 said we have visited all the campgrounds/campsites that you have talked about. Our goal is to have a RV campground that out rivals those facilities. We plan to have a hurricane alarm system, license plate readers for guests and their guests. We want everyone in this RV campground to know that safety is important to us. We will go around every day collecting trash to ensure cleanliness. If there is anyone who is challenging in the campground policies, we will have them removed. Our RV sites are larger than most sites, and we will have ADA compliant sites as well. Our rent will be higher than most other campgrounds. The goal is to get campers that are not challenging, and we believe having people pay a little more will address that.

He talked about the number of dogs and cats campers could have. He also talked about the kind of shed they would offer campers in their campground. Mr. Knapp said he does not have anything else to add, but he would answer any questions the members may have of him.

The Chairman asked the members if they had any question for the applicant.

Mr. Cunningham asked Mr. Knapp if he would consider addressing the phrases that he mentioned in his comments.

Mr. Knapp said he does not have a problem with making those changes.

Mr. Titmus asked will there be events like parades or concerts happening in the campground, and how many people from the RV campground will attend these types of events?

Mr. Knapp said yes we will have some events for the campers, but if there is an event it will done per the County's standards of the special event permit process. He said he does not know how many people would attend the events, but he believes it would not be too many.

Mr. Titmus asked Mr. Knapp if he was going to own any of the campers to rent out.

Mr. Knapp said no. Anyone wishing to stay in the RV campground will have to bring in their own camper.

Dr. Prosize asked Mr. Knapp what is the length of time he was allowing someone stay in the RV Park and how are you prepared to handle offsite parking?

Mr. Knapp said campers will be given a day to day license and offsite parking and storage will be on the front portion of the site. Remember, the sites are big enough for a camper to park their towed vehicle at their location front nose to nose.

The Chairman asked if there were any more questions for the applicant. He said if not he was opening the Public Hearing portion the meeting. He asked if anyone had signed up to speak.

Terry Chambers, 17625 Nash Road, Dinwiddie, VA said he met the applicant and his wife and told them that he was nervous about the RV campground, because of the number of people projected to be there. As a firefighter in Chesterfield County, I have seen how campgrounds such as this one start and then a few years later what they become. That is what makes me nervous. Also, as a firefighter, I'm concerned about 300 units in that confined space. That is potential 600

people in an area with one way in and out and that concerns me. Words spoken are one thing, but seeing things in action is something else. I'm not against people having a great place to live. I just want Dinwiddie to remain a great place for people to come to.

The Chairman asked if there was anyone else who wanted to speak. He said since there is no one he was closing the Public Hearing portion the meeting. He asked the Commissioners if they had anymore comments before they voted.

Mr. Prorise asked Mr. Bassett if the standards or conditions placed on the property, as a part of this case, stay with the property or go with the applicant if he chose to sell the property.

Mr. Bassett said the standards or conditions would remain and transfer with the property.

There was general conversation among all the members about wanting the information spoken by and written by the applicant in his brochure, to become part of the conditions. Also, there was discussion about not wanting permanency to be the norm in the RV campground. The exception to that was for anyone traveling as a part of their job. For example, nurses, contractors and their employees and the like. There was some discussion about the area for the RV campground being a Planned Growth Area as per the County's Comprehensive Plan.

Mr. Titmus said with many questions still needing answers and many conditions still needing to be added by the applicant, I make a motion that we table Conditional Use Permit C-23-3 for 30 days, but not exceeding 100 days. The purpose is to give staff and the applicant ample time to address the concerns of this Planning Commission. It was seconded by Mr. Tucker and with Mr. Tucker, Mr. Titmus, Mr. Hayes, Mr. Cunningham, Mr. Harvell, Mr. Simmons and Dr. Prorise voting "AYE", C-23-3 was tabled.

Planning Commission – February 8, 2023

After briefly going over the staff report and highlighting the applicant's changes in conditions three, five, six and 11 (eleven), Mr. Robinson asked if there were any questions from the Commissioners.

The Chairman asked if there were any questions for Mr. Robinson. He said since there are none would the applicant like to come forward and add anything.

Mr. Jack Knapp, 1503 Black Heath Road, Midlothian, VA 23113 along with his wife gave a presentation for their case.

The Chairman asked the members if they had any questions for the applicant.

Mr. Cunningham asked Mr. Drewry what constitutes a deck or structure to be classified as a permanent structure.

Mr. Drewry said legally when something is affixed to the ground, by digging holes or having footings for the structure, it is considered a permanent structure. If however it is sitting on blocks, it is not considered a permanent structure

Mr. Titmus asked Mr. Drewry if we could legally put a provision in the conditions that states, "No one living in the RV Park can send their children to Dinwiddie Schools."

Mr. Drewry said we cannot do that.

Dr. Prorise commented that the applicant did a great job with his presentation. He was glad to hear in the presentation that the maximum stay for patrons of the RV Park would only be eight months. However, he still believes that is too long. Eight months gives him the feel of a Mobile Home Park and not a RV Park.

Mr. Cunningham asked how can we determine if the RV park with its 300 (three hundred) sites is responsible for citizens in the area wells drying up or running dry. Also, what about the sewage? What do you do with sewage from 300 (three hundred) sites.

Mr. Knapp said Dr. Greg Monet, the soil scientist he is using, will be coming through to perk the property for the appropriate septic system. As for the wells, the engineer that we are using will come on our property and drill a well. With the aid of a generator, he will begin drawing water to see how it affects other wells in the area.

The Chairman asked if there were any more questions of the applicant. He said since there are none and this is not a public hearing, do the Commissioners have any more comments before they voted.

Mr. Hayes said he still sees this RV Park as something that is long term, based on the comments and presentation from the applicant. That to him, seems more like a Mobile Home Park and not a RV Park. A RV Park to him is something that someone does for a short term. A weekend or a week is what he was thinking. He also added that he would like to see two entrances at the front, instead of one. This would better help citizens in the possible 300 (three hundred) sites leave the Park in case of an emergency. We require it from anyone who wants to build a subdivision when there are 59 (fifty-nine) lots or more.

There was some general conversation about vehicle traffic among the Commissioners. The Chairman then asked the members for a recommendation to the Board of Supervisors.

Mr. Cunningham made a motion and read the following: 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. It was seconded by Mr. Titmus, and with Mr. Titmus, Mr. Cunningham, Mr. Hayes voting "YES", and Mr. Harvell, Mr. Tucker and Dr. Prorise voting "NO", C-23-3 will be sent to the Board of Supervisors with a three-three tied recommendation. There were no other motions made from the Planning Commissioners.

BOARD OF SUPERVISORS ACTION

Since this is a zoning matter, staff has prepared the following standard motions to assist the Board of Supervisors:

Motion to approve 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 approved with conditions by the Board of Supervisors.

Motion to disapprove:

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 disapproved by 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.