

SUBDIVISION REGULATION OF
RECREATIONAL VEHICLE PARKS

REGULATIONS GOVERNING THE SUBDIVISION OF RECREATIONAL
VEHICLE PARKS: THE INSPECTION OF RECREATIONAL VEHICLE PARKS
SUBDIVISION: AND THE ISSUING AND REVOCATION OF PERMITS TO
OPERATORS OF RECREATIONAL VEHICLE PARKS SUBDIVISION IN
WATAUGA COUNTY, NORTH CAROLINA.

ARTICLE I

Title

This ordinance shall be cited as the Subdivision Regulation of Recreational
Vehicle Parks for Watauga County, North Carolina.

ARTICLE II

Authority and Enactment Clause

The County Commissioners of the County of Watauga, pursuant to the authority
conferred by Chapter 153A, Article 18 and Section 17 of Chapter 130 of the General
Statutes of the State of North Carolina, do hereby ordain and enact into law these Articles
and Sections.

ARTICLE III

Jurisdiction and Purpose

Section 1. Jurisdiction.

On and after the date of adoption, these regulations shall govern each and every
subdivision of land to be developed and sold for use by recreational vehicles within
Watauga County (hereinafter referred to as the “county”) and outside the subdivision
regulation jurisdiction of any incorporated municipality. As used herein the term “sell”,
in addition to its standard meaning, shall also mean the rental or lease of any real
property, the term of which or any pre-existing renewal thereof shall total twelve months
or more. However, this ordinance may also regulate territory within the subdivision
regulation jurisdiction of any municipality whose governing body by resolution agrees to
such regulations provided, however, that any such municipal governing body may, as
provided for by statute, withdraw its approval of the County Recreational Vehicle Park
Subdivision Regulations, and those regulations shall have no further effect within the
municipality’s jurisdiction.

Section 2. Purpose

The purpose of these subdivision regulations for recreational vehicle parks is to guide and regulate the subdivision of land within the county in order to preserve the public health, safety and welfare. The regulations included herein are designed to insure an adequately planned street system and to avoid sharp curves, hazardous intersections; to secure safety from fire, panic, and other dangers; to provide for adequate water and sewage systems; to facilitate an orderly system for the design, layout, and use of the land; to insure the proper legal description and monumenting of subdivided land; and to provide for the resubdivision of large land parcels.

ARTICLE IV

Interpretations And Definitions

Section 1. Interpretations and Definitions.

The following definitions shall apply in the interpretation and enforcement of these regulations:

- a. Health Director means the Health Director of Appalachian District Health Department or his authorized representatives.
- b. Subdivision Coordinator means the Subdivision Enforcement Officer for Watauga County.
- c. Recreational Vehicle means a vehicular, portable structure built on a chassis, designed to be used as a temporary residence for travel, recreational and vacation uses, permanently identified as a recreational vehicle by the manufacturers of the unit which either has its own motive power or is mounted on or drawn by another vehicle. The term shall include, but not be limited to, travel trailers, camper, truck camper, and motor home.
- d. Dependent Recreational Vehicle means a recreational vehicle which is dependent upon a service building for toilet and lavatory facilities.
- e. Self-Contained Recreational Vehicle means a recreational vehicle which can operate independent of connections to sewer, water and electric systems. It contains a water-flushed toilet, lavatory, shower and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the recreational vehicle and/or chemical operating toilets.
- f. Recreational Vehicle Park Subdivision means a lot or parcel of land which has been subdivided into three (3) or more recreational vehicle sites for the purpose of sale and occupancy by recreational vehicles as temporary living quarters for recreation or vacation purposes.

- g. Recreational Vehicle Lot means a plot of ground having courses and distances established by a registered surveyor or engineer, consisting of not less than 2800 square feet located within a recreational vehicle park subdivision intended for the placement of a recreational vehicle. The minimum frontage of the site shall be no less than 40 feet with a minimum depth of not less than 70 feet.
- h. Recreational Vehicle Stand or Pad means that part of the recreational vehicle lot which has been reserved for the placement of a single recreational vehicle and its accessory structures.
- i. Planning Board means the Planning Board of Watauga County, North Carolina.

ARTICLE V

Permits

Section 1. Permits

- a. No person shall operate a recreational vehicle park subdivision within the County of Watauga unless he holds a valid certification from the Health Department in the name of such a person for the specific recreational vehicle subdivision. Final plat approval will be made by the Planning Board provided all requirements of this ordinance are met.
- b. Recreational Vehicle Permanent Occupancy Prohibited.
 - (1) No recreational vehicle shall be used as permanent place of abode, dwelling or business.
 - (2) Any action toward removal of wheels of a recreational vehicle except for temporary purposes of repair is hereby prohibited.
 - (3) No recreational vehicle shall be anchored or permanently affixed in a flood plain area.
- c. No person shall construct, alter or extend any recreational vehicle subdivision within the County of Watauga until the following has been obtained:
 - (1) Proper certification from the Health Department,
 - (2) Final plat approval from the Watauga County Planning Board, and
 - (3) A building permit from the County Building Inspector.

ARTICLE VI

Planning Board Review

Section 1. Planning Board Review.

No real property within the jurisdiction of this ordinance shall be subdivided and offered for sale or a plat thereof recorded until a preliminary and final plan has been reviewed and approved by the Planning Board as provided hereinafter.

ARTICLE VII

Procedures For Review And Approval Of Subdivisions

Section 1. Submission of Preliminary Plan to Planning Board.

A preliminary plan meeting the requirements of this ordinance shall be submitted for review and shall be approved by the Planning Board before any improvements are made in a subdivision. This plan shall be submitted to the Subdivision Coordinator in four (4) copies at least five (5) working days before the meeting of the Planning Board at which time it is to be reviewed. Two copies of the plan shall be retained in the records of the Planning Board; one copy shall be transmitted to the Appalachian District Health Department for recommendations concerning water and sewerage systems.

The Planning Board shall review the preliminary plan and negotiate with the subdivider for any changes required in order that the subdivision may comply with the provisions of this ordinance. The Planning Board shall take formal action on the preliminary plan at the first regular meeting date after receipt of the plan. Within five (5) days after its actions on the plan, the Board shall notify the subdivider by letter indicating the action taken.

After receiving approval of the preliminary plan by the Planning Board (and not before that time), the subdivider may proceed to construct improvements in accordance with the requirement of this ordinance and as shown on the approved preliminary plan, and to prepare and submit the final plat. The subdivider shall submit the final plat to the Planning Board within twelve (12) months from the approval of the preliminary plan.

Section 1.1 What the Preliminary Plat Shall Show.

The preliminary plat shall be drawn at a scale of not less than one hundred (100) feet to the inch on sheets 18 x 24 inches and shall show the following on one (1) or more sheets:

- a. A sketch vicinity map showing the relationship between the proposed subdivision and the surrounding area.

- b. The name of the recreational park, the names and addresses of the owner(s) and designer of the park.
- c. Date, approximate north arrow and scale.
- d. The boundary line of the tract with bearings and distances drawn to scale.
- e. The locations of existing and platted property lines, streets, buildings, water courses, railroads, bridges, water mains, sewers, culverts, drain pipes, and utility easements, both in the proposed recreational vehicle park and on land immediately adjoining 100 feet in all directions and the names of adjoining subdivisions or the names of owners of record of adjoining parcels of unsubdivided land.
- f. The names, proposed location and dimension of proposed streets, alleys, driveways, entrances, exits, walkways, easements, recreation areas, and other spaces, reservations, proposed lot lines, lot and block numbers with approximate dimensions, and parking lines within the park. This information should be graphical only, not requiring detailed computations of field work above that required to obtain the above information.
- g. Plans and proposed location of a service building consisting of toilet and shower facilities as required by Appalachian District Health Department.
- h. Plans of proposed utility layouts (sewer lines, septic tank drainfields, water line and storm drainage) showing feasible connections to existing and proposed utility systems.
- i. Where public water or public sewer is not available, a written statement from the District Health Department shall be submitted with the recreational vehicle park preliminary plan indicating that the recreational vehicle park has adequate land area and suitable soil characteristics and topography to accommodate the proposed methods of water supply and sewage disposal.
- j. Location and number of garbage receptacles.
- k. Plan for electric lighting.
- l. Plan showing measures to be taken to prevent soil erosion and off-site sedimentation damage.

Section 2. Submission of Final Plat to Planning Board.

Prior to the submission of the final plat all improvements proposed and approved on the preliminary plat shall be completed to meet the requirements of this ordinance. Unless a final plat is submitted to the Planning Board within one (1) year from the date

on which the preliminary plat was approved, such action on the preliminary plat shall become void and of no effect, unless prior to the expiration of said year the Planning Board extends the time for good cause shown. A final plat meeting the requirements of this ordinance shall be submitted to the Subdivision Coordinator in four (4) copies at least five (5) working days prior to the meeting of the Planning Board at which it is to be considered. Copies of the plat shall be distributed in the same manner as copies of the preliminary plan.

Section 2.1 What the Final Plat Shall Show.

The final plat shall be drawn in black ink upon a reproducible material such as linen or mylar on sheets of 18 x 24 inches in size to a scale of not less than one inch equals one hundred (100) feet. It shall contain the following:

- a. A vicinity map showing the location of the subdivision in relation to the surrounding area.
- b. The name of the recreational vehicle park, the names and addresses of the owner(s) and the engineer or registered surveyor who prepared the plat.
- c. Date, north arrow, and scale.
- d. The boundary line of the tract with bearings and distances drawn to scale.
- e. The names, location and dimensions of streets, alleys, driveways, entrances, exits, walkways, easements, recreation areas, parks and other open spaces, reservations, lot lines, lot and block numbers with accurate bearings and distances, and parking lines within the park. The information shall be drawn accurately with details, computations, and fieldwork completed with all lot corners established on the ground with an iron pin or other permanent marker.
- f. The park is located in a flood plain area, developer shall submit to the Planning Board with the final plat a workable evacuation plan.

Section 3. Approval of Final Plat by Planning Board and Recording Thereof.

Upon receipt of the final plat, the Planning Board shall review it for compliance with the provisions of this ordinance. The Planning Board may approve the plat in whole or in part, or subject to modifications. Failure of the Planning Board to take formal action on the final plat after receipt of the plat at least five (5) working days prior to the regular Board meeting date shall be deemed approval of the submitted plat. The approval of the final plat by the Planning Board shall be on condition that such plat be recorded in the Office of the Register of Deeds within thirty (30) days after such approval. The original tracing of the final plat shall be made available by the subdivider for authentication when the Planning Board takes final action approving the plat.

- a. The subdivider shall pay an inspection fee, as determined by resolution by the Board of commissioners.

Section 3.1 The Following Certificates Shall Be Shown On The Final Plat:

- a. Certificate of Ownership and Dedication

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish all lots, and dedicate all streets, alleys, walks parks, easements, right-of-ways, and other open spaces to public or private use as the same shown herein.

Date

OWNER

OWNER

- b. Certificate of the Approval of Water and Sewage System

I hereby certify that the water supply and sewage disposal system installed to serve the subdivision entitled _____ fully meets the requirements of the Appalachian District Health Department, and are hereby approved as shown.

DATE

Appalachian District Health Officer

- c. Certificate of Approval of Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Recreational Vehicle Park Ordinance of Watauga County, North Carolina, with the exception of such variances, if any, as noted in the Minutes of the Planning Board and recorded on the plat and that it has been approved by the Watauga County Planning Board at their regular meeting of _____ for recording in the Office of the County Register of Deeds.

DATE

Chairman, Watauga County Planning Board

d. Surveyors Certificate

NORTH CAROLINA
WATAUGA COUNTY

_____ being duly sworn says the plat shown hereon is in all respects correct to the best of his knowledge and belief and was prepared from an actual field survey supervised by him and completed _____.

REGISTERED LAND SURVEYOR

NO.

Subscribed and sworn to before me this the _____ day of _____, 20____.

Notary Public

My commission expires:

Section 4. Appeal by Developer.

If either a preliminary or final plat is not approved by the Planning Board the subdivider may appeal his case to the Watauga County Board of Commissioners within 30 days, by giving written notice of appeal.

Section 5. Feasibility Plan.

A subdivider may submit a sketch to the Subdivision Coordinator prior to submission of a preliminary plan if he wished to ascertain the feasibility of development of his property.

Section 6. Minor Subdivisions.

- a. Procedures set forth herein for handling applications for approval of minor subdivisions are intended to simplify processing of routine small subdivision with due regard to protection of the public interest.
- b. For the purpose of these regulations, a minor subdivision is defined as any subdivision requiring no variances and consisting of not more than ten (10) lots.
- c. In lieu of the procedures set forth in this ordinance, the subdivider may receive preliminary approval for any minor subdivision through procedures set forth as follows:

- (1) The staff of the Planning and Inspections Department shall review the preliminary plat of each minor subdivision and shall find that it either

is or is not a minor subdivision and that it either does or does not meet the requirements of this ordinance. Said findings shall be stated in writing and recorded in the records of the Planning Board. Based upon said findings the Department shall either approve, not approve, or approve conditionally the proposed minor subdivision.

- (2) A decision by the staff shall be made within fifteen (15) days of submission of the proposed minor subdivision to the staff and the decision of the staff is subject to appeal in writing by the subdivider to the Planning Board, which must act on appeals at its next regular meeting provided said written appeal is filed with the Planning Board or their designee five (5) working days prior to said meeting.
- d. A final plat shall be submitted to the Watauga County Planning Board for their consideration and approval before the conveyance of any of the property or the recordation of the plat.
- e. After approval, the Subdivision Plat shall be recorded with the Watauga County Register of Deeds within thirty (30) days.

ARTICLE VIII

Recreational Vehicle Parks

Section 1. Inspection of Recreational Vehicle Parks.

- a. The Health Director shall make such inspections as necessary to determine compliance with these regulations and compliance with all state and local health standards. If a violation of this ordinance is found, it shall be the responsibility of the owner, owners association or individual owner, whichever the case may be, to correct in accordance with these regulations.
- b. The Health Director shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of these regulations.

Section 2. Right of Appeal.

Should any controversy arise regarding the denial or revocation of a permit or any other matter authorized or required by these regulations, the person aggrieved may appeal to the Watauga County Board of Commissioners at a regularly scheduled meeting.

ARTICLE IX

Environmental, Open Space and Access Requirements

Section 1. Environmental, Open Space and Access Requirements.

- a. General Requirements. Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants.
- b. Floodplain Development. Recreational Vehicle Parks may be permitted to develop in designated floodplain areas but not permitted in the floodway. Developer shall indicate the floodplain and floodway on the plat and evacuation plans shall be established and submitted to the Planning Board for approval consideration prior to approval of final plat. Any improvements shall meet the applicable requirements of the Watauga County Flood Damage Prevention Ordinance.
- c. Soil and Ground Cover Requirements. All ground areas in all parts of every Recreational Park Subdivision shall be paved or covered with stone screenings or other solid material or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.
- d. Required Separation Between Recreational Vehicles. Recreational vehicles shall be separated from each other and from other structures by at least 20 feet. Any accessory structure such as attached awnings or individual storage facilities shall, for the purposes of this separation requirement, be considered to be part of the recreational vehicle.
- e. Required Recreation Area. In all Recreational Park Subdivisions, there shall be at least one recreation area which shall be easily accessible from all recreational vehicle spaces. A minimum of twenty percent (20%) of the total lot area of the park shall be dedicated for open, undeveloped recreational use.
- f. Required Setbacks from Public Streets. All recreational vehicles shall be located at least 30 feet from the right-of-way of a public street or highway.
- g. Park Street System
 - (1) General Requirements. All parking areas shall be provided with safe and convenient vehicular access from abutting public streets or roads to each recreational vehicle space. All roads shall be constructed to meet the requirements of the county standard roads as specified in the Watauga County Subdivision Regulations, with the exception of the road right-of-way which may be 30 feet.

(TRAFFIC)

(ROAD BED WIDTH)

One-Way

14 Feet

Two-Way

24 Feet

- (2) Access. Access to recreational vehicle parks shall be designed to minimize congestion and hazards at their entrance and exit and to allow free movement of traffic on adjacent streets. All traffic into and out of the parking areas shall be through such entrances and exits.
- (3) Off-Street Parking and Maneuvering Space. Each lot in a recreational vehicle park subdivision shall provide one vehicle parking space in addition to the space occupied by the towing vehicle. Sufficient maneuvering space shall be provided so that parking, loading or maneuvering of recreational vehicles incidental to parking shall not necessitate the use of any public street, sidewalk, or right-of-way or any private grounds not part of the recreational vehicle park subdivision.
- (4) Traffic Signs. For safety purposes, traffic signs shall be erected designating traffic flow and speed limits. Such signs shall be constructed of permanent material and shall conform substantially to acceptable traffic speeds and sign applications in semi-congested areas.

Section 2. Miscellaneous Requirements.

- a. Supervision and Continued Maintenance. The person to whom a permit is issued shall be the responsible party for operation and maintenance of the recreational vehicle park in compliance with these regulations and shall further provide adequate supervision to maintain the recreational vehicle park, its facilities and equipment in good repair and in a clean and sanitary condition at all time until at such time an Owners Association shall assume responsibilities as designated by the Developer.
- b. Owners Association Agreement and Declaration of Restrictions for Recreational Vehicle Park Subdivisions. Prior to approval of the final plat the subdivider/developer shall submit to the County Planning Board copies of an Owners Association Agreement and Declaration of Restrictions, Conditions, Easements, Covenants, Liens and Charges. Said Agreement shall provide that membership in the Owners Association shall be appurtenant to ownership of land in the subdivision and that the Association is empowered to assess the members for their respective portion of costs of continued maintenance, including but not restricted to road and all utilities, grounds and other improvements and property owned by the Association and the payment of taxes.

Section 3. Conflicting Rules and Regulations Repealed.

All rules and regulations governing recreational vehicle park subdivision heretofore adopted by the Watauga County Board of Commissioners which are in conflict with the provisions of these regulations are hereby repealed.

Section 4. Severability

If any sentence, clause, paragraph, subsection or section of these regulations shall be adjudged invalid and of no effect, such decision shall not affect the remaining portions of these regulations.

Section 5. Variances.

Where because of topographical or other conditions peculiar to the site, strict adherence to the provision of the regulations of this Ordinance would cause an unnecessary hardship; the Planning Board may authorize a variance, if such variance can be made without destroying the intent of this Ordinance. A variance request by the developer must be submitted in writing to the Planning Board. Any variance thus authorized is required to be entered in writing in minutes of the Planning Board and the reasoning on which the departure was justified set forth.

Section 6. Violations a Misdemeanor.

Any violation of these regulations shall be punishable as provided in North Carolina General Statutes 153A-334 and/or 130-17.

Section 7. Effective Date.

These regulations shall be in full force and effect from and after June 7, 1982.

The foregoing regulations were adopted at meetings of Watauga County Board of Commissioners at Boone, North Carolina, on May 18 and June 7, 1982.