



Clear Creek County

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CLEAR CREEK COUNTY REFERRAL Clear Creek County Zoning Regulation Amendments

TO: Referral Agencies and Homeowners' Associations
FROM: Adam Springer, Senior Planner, Clear Creek County Planning Department
DATE: August 8th, 2019
RE: Proposed amendments to the Clear Creek County Zoning Regulations regarding Camping

PURPOSE

The Clear Creek County Planning Commission and Board of County Commissioners will be considering amendments to the Clear Creek County Zoning regulations related to camping on private lands in the unincorporated areas of the County. The proposed amendments will ultimately apply to Sections 5, 8, 12, and 23, and propose the creation of a new Section 21-Camping Regulations. Planning Staff is requesting your expertise and input regarding the attached draft amendments. The proposed amendments are meant to address the impacts associated with camping in unincorporated Clear Creek County on private lands, while attempting to keep any review process streamlined for both the applicant and staff. This is a chance to gain your feedback early in the process while the regulation is being created. Additional communication will be sent as the proposed regulation becomes more formal and we move forward to public hearings.

SUMMARY

The proposal is to create a new section in the zoning regulations; Section 21-Camping Regulations (attached), dedicated to delivering guidelines to camping on private lands in unincorporated Clear Creek County for both private and commercial camping. These regulations are being proposed to address quality of life and health and safety impacts that are not usually being reviewed through our current process.

Proposed are 2 main review processes for commercial camping:

1-50 campsites = Administrative Review Process

50 + campsites = Public Review Process

There are a number of performance standards that a camping development would be required to meet to ensure the health safety and welfare of the inhabitants of the campground and surrounding community. These standards are outlined in the attached draft regulation.

Additionally, there will be a number of minor amendments to the Special Use Permit, Definitions, Commercial – Outdoor Recreation and Commercial Tourism, sections of the Zoning Regulations to incorporate appropriate changes related to the new proposed Section 21-

Camping Regulations. Furthermore, it is proposed to extinguish section 8- Recreational Vehicle Park (RVP) of the zoning regulations, because these regulations are proposed to be incorporated into the new Section 21.

A working session was held in May before the Planning Commission to discuss considerations and direction for the new proposed regulation. Before the next working session is scheduled, Planning Staff would like to gain your feedback for the proposed draft regulation (attached Section 21-Camping Regulations, and proposed definitions – Section 23). Nomenclature has not yet been added to the attached draft because it is anticipated that the regulation will change throughout the process.

PUBLIC HEARINGS

At this time, public hearings before the Planning Commission (PC) and Board of County Commissioners (BOCC) have not been scheduled. The Planning Department is currently requesting your specific expertise and comments regarding the proposed draft amendments.

Please complete and return the attached referral comment sheet as soon as possible, however, no later than August 29, 2019 as the Planning Department wishes to address any significant issues, where applicable, at the beginning of our review process. Be advised, future written comments will also be accepted. Please mail comments to my attention at the following address: Adam Springer, Clear Creek County Planning Department, P.O. Box 2000, Georgetown, CO 80444. Responses may also be faxed to 303.569.1103 or emailed apringer@co.clear-creek.co.us. If you have questions or desire further information regarding the proposal, please feel free to contact me at 303.679.2361.

**Clear Creek County Zoning Regulations Amendments
regarding Camping Regulations**

NAME: _____

ADDRESS: _____

_____ We have reviewed the proposal and have no conflicts
Initials

_____ See Comments below
Initials

_____ See attached letter
Initials

_____ Date _____ Signature

FOR FURTHER INFORMATION, CONTACT ADAM SPRINGER AT 303-679-2361.
Responses may be mailed to: Clear Creek County Planning Department, Attn: Adam Springer, P.O. Box 2000, Georgetown, Colorado 80444 or fax to 303-569-1103. You may also e-mail a response to aspringer@co.clear-creek.co.us

SECTION 21 CAMPING REGULATIONS

PURPOSE

The purpose of these standards and regulations is to provide minimum requirements for the protection of the health and safety of the occupants of campsites, campgrounds, and the general public. These regulations are limited to private property in unincorporated Clear Creek County.

TYPES OF CAMPING

For purposes of these regulations, camping is classified as either private or commercial, and can include the following types of structures:

- Tents and certain tent type structures
- Dependent Camping Vehicles
- Independent Camping Vehicles
- Mobile Tiny Homes

All structures and associated development related to camping shall meet all other applicable Local, State, and Federal codes and regulations.

PRIVATE CAMPING

Private Camping applies to all forms of non-commercial camping, where money does not exchange hands, and where there is no intent of making a profit. This type of camping is allowed for up to 14 days per year on the subject property with no permit and up to 30 days per year with a Private Camping Permit. The applicant must guarantee that during the permit period an approved sanitary facility is available at all times. For periods longer than 30 days, a Special Use Permit must be applied for. A new Private Camping Permit cannot be issued for a property until 30 days from the expiration of the previous year's permit.

Additionally, temporary living quarters are allowed as a use by right in all zoning districts with the exception of NR-PC, NR-R, and Buffer, with the issuance of a building permit for the project utilizing the temporary living quarters. The temporary living structure shall be removed from the property prior to the issuance of a Certificate of Occupancy, or within sixty days after an issued Temporary Certificate of Occupancy, for the project utilizing the temporary structure(s), which ever date occurs first.

Submittal Requirements for Private Camping Permit

Completed Permit and Agreement Form
Proposed Method of Sanitation

COMMERCIAL CAMPING

Commercial Camping includes any type of camping where money is exchanging hands and there is intent to make a profit, or where the camping is accessory or in relation to a commercial operation. This includes campgrounds, and seasonal employee camping. This type of camping is only allowed in the following zoning districts:

1. Commercial – Outdoor Recreation (C-OR) –limited to 50 campsites
2. Commercial- Tourism Recreation (C-TR)
3. Planned Development (if incorporated in the development)

Commercial Camping is reviewed and permitted through a Commercial Camping Permit. The process, submittal requirements, and performance standards are outlined below. Commercial Camping related to a Special Event that is taking place for 7 days or less is not subject to this regulation.

COMMERCIAL REVIEW PROCESS

The procedure for reviewing a Commercial Camping request is divided into 2 processes based on the number of camping sites:

Minor Camping Permit –Administrative Review

1- 50 camping sites

Major Camping Permit – Public Review

51+ camping sites and/or exceeds the thresholds for Development Review, as outlined in Section 20 of these zoning regulations.

If the request is subject to or part of a Development Review, Planned Development, or Special Use Permit then the submittal requirements, as outlined below, will be in addition to those required in the Development Review, Planed Development, or Special Use Permit process.

Please reference the below performance standards (page) to aid in your submittal package. Your application must adhere to these standards or your request will not be approved.

Minor Camping Permit Process

Submittal Requirements

-Application Form and Fee

- Documentation showing proof of ownership of property, deed of record, current year taxes paid, and if applicant is not owner, a landowner authorization form be provided.

-Narrative that at minimum includes the following information:

-General proposal of the camping operation

-Total number of campsites broken down into the different types (Tents, RV's, etc...)

-Hours of operation and season of operation

-Number of average employees on site average at busiest time of the year

- Expected Traffic: Average Daily Trips (ADT), broken up monthly. One trip in and 1 trip out equals 2 ADT.

- Water: Please provide methods of water supply. This may include a well permit, ability to serve letter from a district, or method of supplying potable water or other water supply to the campground.

-Comfort Station(s): Provide information on your comfort station, if applicable, as mentioned in the performance standards below(Section#).

-Sanitation: Proposed method of sanitation. (See performance standards for more detail).

-Access: Does a valid driveway permit exist for the proposal, or are you applying for a driveway permit alongside this process?

-Proposed showering and laundry facilities if applicable

- Proposed trash control and removal
 - Permanent and Temporary improvements, including tent sites, trash containers, fire rings, and sanitary facilities
 - Caretaker contact information
- Site Plan: Scaled Site Plan showing and/or explaining the following when applicable
 - Location of Camp and RV Sites (Dimensions spelled out here). Campsites shall be numbered and scaled correctly as dictated in the performance standards below (section#).
 - Vehicular circulation and off street parking according to these regs and the development standards (reference of standards here)
 - location of water and sanitation facilities. Please delineate the type of water and sanitation facility on the site plan.
 - Location of comfort station
 - Proposed roads and parking for campers
 - Entire parcel boundary
 - Significant on and off-site features
 - Campsite screening
 - All existing and proposed improvements, including drive paths, parking, structures, and utilities
- Campground Operating Plan which shall address mitigating the following impacts
 - trash
 - fire safety
 - access and dust control
 - noise, smoke, and light pollution
 - domestic animal control
 - Visual appearance
- Grading and Drainage Plan prepared and stamped by a licensed engineer that indicates the following:
 - Existing and proposed topographic contours;
 - Drainage patterns and stormwater runoff from on-site and off-site flow;
 - Location and construction details for all proposed watercourses, retention and detention areas;
 - Location and construction details for all proposed culverts, retaining walls, curbs/gutters, etc.;
 - Demonstrated compliance with the County's adopted Best Management Practices (BMP)'s
 - Slope stabilization measures for all cut and fill slopes.
 (This submittal requirement may be waived by the case manager if it is determined that this there is no need for such a plan.)

Process

-Pre-application Conference

Prior to submittal of an application, the applicant shall meet with the Planning Department to determine whether the request meets the applicability of the subject process and to review the procedure and submittal requirements.

-After a site visit has been conducted, the Planning Department will determine any additional submittal requirements needed (other than the general requirements), and will provide them in writing to the applicant.

- The applicant shall submit one (1) copy of the submittal to the Planning Department. The submittal may either be in electronic or hard copy form.
- The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.
- Referral agencies and adjacent property owners shall be given fourteen (14) calendar days prior to the final decision to respond.
- The Request will be administratively approved or denied by the Planning Department based on conformance to the performance standards below.

Major Camping Permit Process

Submittal Requirements

The submittal requirements for a Major Camping Permit submittal are the same as Minor Camping Permit. Please reference Minor Camping Permit submittal requirements (page) above.

Process

-Pre-application Conference

Prior to submittal of an application, the applicant shall meet with the Planning Department to determine whether the request meets the applicability of the subject process and to review the procedure and submittal requirements.

-After a site visit has been conducted, the Planning Department will determine any additional submittal requirements needed (other than the general requirements), and will provide them in writing to the applicant.

-The applicant shall submit one (1) copy of the submittal to the Planning Department. The submittal may either be in electronic or hard copy form.

-The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

-Once the submittal is determined complete (by the Planning Department), The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcel(s) and any referral agencies that may be affected by the proposal. The applicable agencies shall be determined on a case by case basis.

-Referral agencies shall be given twenty-one (21) calendar days prior to the Planning Commission public hearing to comment.

-Based upon the submittal documentation, site characteristics analysis, and comments received, the Planning Department will prepare a staff recommendation/report and draft resolution for the Planning Commission public hearing.

-The Planning Department will publish a notice in a newspaper of general circulation in the county a minimum of fourteen (14) calendar days prior to the Planning Commission public hearing. The applicant will be notified of the public hearing date, time, and place.

-At least fourteen (14) calendar days prior to the Planning Commission public hearing, the applicant shall post and maintain a notice on the parcel(s) under consideration. The notice(s) shall be placed within ten (10) feet of the property line and visible from the right-of-way. Signs will be provided by the Planning Department.

-During the public hearing, the Planning Commission shall evaluate the submittals, referral comments, staff report, and public testimony, and make a recommendation to the Board of County Commissioners (BOCC) to approve, approve with conditions, or deny the application.

-The applicant may be required to provide additional information prior to the BOCC public hearing based on conditions/stipulations recommended by the Planning Commission.

-The Planning Department will publish a notice in a newspaper of general circulation in the county a minimum of fourteen (14) calendar days prior to the BOCC public hearing. The applicant will be notified of the public hearing date, time, and place.

-Based upon the submittal documentation, site characteristics analysis, comments received, and the Planning Commission's recommendation, the Planning Department will prepare a staff recommendation/report and draft resolution for the BOCC public hearing.

-During the public hearing, the BOCC shall evaluate the submittals, referral comments, staff report, Planning Commission recommendation, and public testimony, and shall approve, approve with conditions, or deny the application.

-The Planning Department will notify the applicant of any modifications or requirements needed to finalize the development review site plan or other final documents prior to recording with the County Clerk and Recorder.

PERFORMANCE STANDARDS

The following performance standards are applicable to all camping developments and shall be incorporated into the submittal requirements as described below:

Setbacks and density

-Setbacks are based on the zoning district in which the campground resides in. However, no commercial campground area, structure, or facility shall be closer than 100 ft. from an existing residence.

-No commercial campsite shall be less than 25 ft. from a public highway right of way

-River and Stream setback: Minimum 50 feet measured from edge of stream or river to any camping space, except minimum of 100 feet for any permanent structure or sanitary facility.

-The maximum gross density of a campground shall be no more than 20 sites per acre, including roads, open space and other requirements.

Access and parking

-A valid driveway is required for all camping development.

- The subject property related to a commercial camping operation shall have legal access from a County maintained public road.

-Internal Access Ways: All Independent and dependent vehicles and mobile Tiny Home spaces shall abut an internal access way, graded for drainage and maintained in a rut free and dust free condition, which provides unobstructed access to the main road(s) accessing the property. The minimum unobstructed width of such roads shall be fifteen (15) feet for one-way traffic or twenty-five (25) feet for two-way traffic. No parking shall be allowed on internal access ways.

-Parking: Off-street parking for one motor vehicle for each camping space shall be provided.

Sanitation and Water Supply

-All forms of sanitation must be in conformance with the environmental health department.

- No waste of any kind, including graywater, shall be discharged into or allowed to accumulate on the ground surface.

-Porta-potties may only be used as a method of sanitation for a 1 year period, if allowed by the County Environmental Health Department. Beyond this one year period the camping operation shall be required to have a more permanent type of sanitation method that is in conformance with Environmental Health Department Regulations. This standard applies to re-occurring Seasonal Employee camping operations as well.

-Comfort Stations: A central service building containing the necessary toilet and other plumbing fixtures specified shall be provided in campgrounds that include spaces without water and / or sewer connections, and for tent camping areas. A comfort station shall be located within 500 feet of all tent camping or other space without water and sewer connections.

1. Campground Connected to Resort: When a campground is operated in connection with a resort or other business establishment, the number of sanitary facilities for such business establishment shall be in excess of those required for the campground, and shall be based on the maximum number of people allowed to occupy the resort.

2. Exception: When a campground is designed with water and sewer connections to each site, and is

exclusively limited to use by self-contained vehicles, no public sanitary facilities shall be required.

-Water Supply and Distribution:

1. Recreational Vehicles: Each campground shall be provided with one or more easily accessible watering stations for filling RV water storage tanks.
2. Stations for Tent Camping Area: Each tent camping space or RV space without a water connection shall be provided with at least one individual watering station no more than five hundred (500) feet from any camping space, with a splash pad installed around the base.
3. Connection: The water supply system, specifically including all distribution lines up to the risers at individual sites, shall be constructed and maintained in accordance with the Plumbing Codes adopted by Clear Creek County.
4. Individual Water Service Connections: Riser pipes provided for individual water service connections shall be so located and constructed that they will not be damaged by the parking of recreational vehicles. Water riser pipes shall extend a minimum of four inches above ground elevation unless recessed in a box or sleeve.

Other Performance Standards

-Minimum Facilities for Tent Sites and Recreational Vehicle Spaces:

The area devoted to each tent site and recreational vehicle space shall be adequate to accommodate the following facilities:

- Fire Facilities: Fire facilities shall be confined to a fire pit or fire circle, approved by the Fire Authority.
- Parking Space: Each space shall be provided with one parking space.
- Parking Barriers: Adequate barriers shall be provided to confine vehicles to driveways and parking spaces.

-Identification: Campsites shall be clearly marked and identified. The campground shall be assigned a single address to cover the entire campground, and each camp cabin, RV and tent space will use the space number to supplement the campground address. Each space shall be clearly and distinctly marked with a sign indicating the Space Number. The sign shall be a minimum size of 6 inches by 6 inches, with the numbers being a minimum of 4 inches high

-Each campsite shall accommodate only one camping party and the camping vehicle or camping unit equipment occupied by persons within the same party.

-No permanent or semi-permanent structures, such as cabins, lean-tos, sheds or habitable buildings shall be erected on a campsite except by the owner of the property and shall be erected in accordance with applicable state or local building construction requirements.

-Temporary structures such as canvas awnings, screened enclosures, or platforms, which are normal camping equipment, may be erected but must be removed when the campsite is vacated.

-Maintenance: All campsites, open space and common areas shall be maintained in a clean and sanitary condition, free from hazardous and noxious materials, weeds and refuse. Pets and animals must be

maintained and kept in accordance to section 1008 – Animals, of the Clear Creek County Zoning Regulations. The campground/park owner shall be responsible for ensuring compliance.

-Fire Protection: Adequate fire protection shall be provided and shall be in compliance with all applicable fire codes and standards as prescribed by the appropriate fire protection district.

-Electrical Distribution and Communication Wiring: If electrical service is provided to some or all recreational vehicle sites within the campground, the electrical distribution system shall comply with all County and State regulations.

-Refuse Handling:

1. The storage, collection and disposal of refuse in a campground shall be so arranged as to not create health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.
2. The owner shall provide for trash removal on a regular basis.
3. Animal proof trash containers shall be required for all commercial campgrounds

-Supervision: The attendant or caretaker shall be available at all times to keep the park, its facilities and equipment in a clean, orderly and sanitary condition. Attendant contact information shall be provided to the County and kept up to date.

-Flood Plain Restrictions: No permit shall be granted for campgrounds proposed in 100 year flood plain areas.

-Noise: The attendant or caretaker shall actively regulate a quiet time from the hours of 10:00 PM – 7:00 AM, where no outdoor music is allowed, and noise from the campground is kept to a minimum.

-Time limitations: No single person or camping party shall be allowed to camp within a campground for longer than 30 days out of the Calendar year for commercial camping, and no longer than 6 months out of the Calendar year for seasonal employee related camping, except for campground attendants.

-Camping Development shall comply with Section 10- Development Standards, of the Clear Creek County Zoning Regulations.

-Other Requirements: Such other requirements as may be determined by the County Staff to assure the public health, safety and welfare of the residents and other persons who might be affected.

REVISIONS AND MODIFICATIONS

Action on changes to approved Commercial Camping Developments shall be taken by the review authority responsible for action on the original review through the process identified in these regulations. Revisions and Modifications shall comply with the provisions of this section. However, if the Planning Director determines changes to be minor in nature, they may be approved by the Planning Director. Changes shall be considered minor if they meet the following criteria:

- Does not increase the amount of square footage, site disturbance, or unit count by more than 10% of the total approved in the original Development Review Site Plan.
- Complies with zoning regulations including use regulations and development

- regulations and standards.
- Does not change the location of uses, or the layout of streets, trails, or pathways except for minor adjustments within areas approved for development or within approved rights-of-way.
- Does not include the addition of a drive-through in which the patron's automobile is accommodated from which the occupants may receive a service or in which products purchased from the establishment may be consumed.
- Is not a detriment to public health, safety, and welfare.

ANNUAL REVIEW

The Board of County Commissioners may require the applicant to periodically submit a report via the Planning Director, detailing all past activities conducted by the applicant pursuant to the Development Review approval by the Board, including a satisfactory showing that the applicant/property owner has complied with all conditions of the Development Review approval and applicable regulations. The applicant/property owner need not inform the County of activities such as operational changes, which are not the subject of a Development Review approval.

The Planning Director shall review the report within thirty (30) days from the date of submittal thereof. If the Planning Director determines, based upon its review, that the applicant/property owner is likely to have violated the provisions of the Development Review or applicable regulations, the County may issue a notice of violation to the applicant/property owner.

Upon notice to the Planning Director of the fulfillment of all conditions of the approval of the Development Review, and the Planning Director's concurrence therein, the Planning Director may terminate any annual review requirements.

Definitions (to go in definitions – Section 23)

-Camping Party: One or more persons assigned to a single campsite.

-Campsite: Any specific area within organized campgrounds or other recreation areas which is used for overnight stays by an individual, single camping family, group, or other similar entity.

-Camping Vehicle: A self-propelled or towed camping unit, or other vehicle used for temporary human occupancy.

-Campgrounds: Organized campgrounds which are made available, whether with or without a fee to the public, consisting of at least 2 campsites.

-Dependent Camping Vehicle: A camping vehicle that has no toilet, lavatory, or bathing facilities and is dependent upon a service building for toilet, lavatory and bathing facilities.

-Independent Camping Vehicle: A camping vehicle that has toilet, lavatory, and bathing facilities requiring connection to a sanitary sewer.