



MEMORANDUM
Town of Nags Head
Planning & Development Department

To: Board of Commissioners
From: Michael Zehner, Director of Planning & Development
Date: September 29, 2020
Subject: From Jul 1st Board Meeting - Discussion of further amendments to the camping provisions in the Town Code (G-1)

As the Board may recall, at the July 1, 2020 meeting an amendment to Section 26-7, *Camping*, of the Town Code was approved (attached) to address an inconsistency between the Town Code and UDO (and formerly an inconsistency within the Town Code) with respect to the occupancy of automobiles or vehicles (primarily trailers and recreational vehicles) for camping; the amendment clarified that while camping is allowed under certain circumstances, that vehicles may not be used for camping. This change was consistent with the UDO's prohibition on the use of trailers, defined as:

Trailer includes any of the following:

- (1) Travel trailer means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, and, when factory equipped for the roads, it shall have a body width not exceeding eight feet and a body length not exceeding 32 feet.*
- (2) Pickup coach means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.*
- (3) Motor home means a portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle.*
- (4) Camping trailer means a folding structure of canvas or other material mounted on wheels and designed for travel, recreation and vacation use.*

Section 26-7, as amended, now reads as follows:

Sec. 26-7. - Camping.

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:*

Immediate family means father, mother, brother, sister, son, daughter or grandparent.

Mobile home means a modular unit built on a chassis, with body width exceeding eight feet or body length exceeding 32 feet, designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities. A travel trailer is not to be considered as a mobile home.

Open air camping means any act of living, residing or sleeping at night, in the open air. The term "camping in the open air" includes, but is not limited to, sleeping out of doors in a tent, sleeping bag, blanket or hammock, or without any paraphernalia other than the clothes worn on the body.

Travel trailer means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, and, when factory equipped for the roads, it shall have a body width not exceeding eight feet and a body length not exceeding 32 feet.

(b) Requirements. No person shall engage in the act of open air camping within the town; except, that an owner or lessee of improved real property and his immediate family and any person in the company of a member of the immediate family may camp upon the property; provided, however, that sanitary facilities including a bathroom with running potable water is available on such property for the use of all persons engaged in open air camping as permitted by this exception. The total number of persons authorized shall not exceed five. No vehicle, including, but not limited to, a personal vehicle, mobile home, travel trailer, or recreational vehicle, shall be used for open air camping.

During the July 1, 2020 meeting, the Board discussed several additional considerations, and indicated an interest in reviewing the provisions further at a future meeting. Therefore, Staff is presenting this matter back to the Board for discussion, and direction if additional changes are requested. Additional considerations discussed by the Board in July included:

1. Should there be a time limit on camping, either a limit on consecutive nights, or a maximum number of nights per year?
2. Should camping allowances, or even an allowance for the use of vehicles such as a recreational vehicle, be for owner-occupied or permanent resident-occupied properties only? In other words, should those leasing a property for a month/week or less be precluded from having camping occur on the property, or precluded from any allowance for use of a vehicle for camping if so allowed?
3. Regardless of the allowance, should total occupancy of a property be limited by wastewater permits?

Staff will be available to participate in the discussion and proceed with any actions directed by the Board.

Attachments:

1. Ordinance No. 20-07-011