

ARTICLE V. CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS¹

Sec. 15-81. Purpose and authority.

- (a) *Purpose.* The purpose of this article is to better accommodate campgrounds and recreational vehicle parks within the unincorporated areas of Cherokee County; to minimize any adverse effects of said properties, both physically and psychologically; to provide a sound, orderly and healthy environment sufficient to meet the needs of property inhabitants; to establish rules and regulations for the development of said recreational properties. It is the intent of the Cherokee County Council to encourage economic growth, therefore county officials, departments and agencies shall give all due consideration to the proper and fair enforcement of this article.
- (b) *Authority.* The legislature of the State of South Carolina has in Title 6 of the Code of Laws of South Carolina, 1976, as amended, delegated the responsibility to local governmental units to adopt regulations and policies for the public health, safety, convenience, order, prosperity and general welfare of its citizenry. Further, the responsibility of general planning functions is delegated to the Cherokee County Planning Commission.
- (c) *General requirements/applicability.* All campgrounds and recreational vehicle parks sited within Cherokee County for the first time must comply with the following regulations. Existing campgrounds and recreation vehicle parks in operation at the time of the adoption of this article shall be exempt for the life of the business, provided, however, such existing park shall not be expanded or extended except in conformance with this article; and must be permitted and inspected by the Cherokee County Building Codes Department. Compliance with this article will only affect new growth of an existing park or campground. These regulations shall apply to the unincorporated areas in Cherokee County. However, where sections conflict or overlap, whichever imposes the most stringent restrictions shall prevail.

(Ord. No. 2021-04, 5-17-21)

Sec. 15-82. Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Appeals committee means the appeals committee (i.e. the Cherokee County Planning Commission) considers and decides appeals as requested concerning this article.

Bathroom means a permanent structure containing water closets, hand lavatories, showers, and other similar fixtures.

Buffer means a portion of a yard, which contains fences, walls, berms and plantings located along the perimeter of a parcel of land to lessen the impact of noise, land use intensity and light on adjoining property. The area used in the buffer must be a portion of the property under development and may be a portion of the rear, side or front yard setback requirement.

¹Editor's note(s)—Ord. No. 2021-04, adopted May 17, 2021, added provisions to the Code, but did not specify manner of inclusion. Therefore, at the discretion of the editor, said provisions have been designated as §§ 15-81—15-87, as set out herein.

Camp means land and facilities of camp character intended to provide a temporary outdoor living experience for individuals or groups. For the purpose of this regulation, "camp" shall refer to family campground and resident camp.

Campground and recreational vehicle (RV) parks mean any parcel or tract of land under the control of any person, organization, or the governmental entity wherein two (2) or more recreational vehicle, recreational park trailer, and/or other camping unit sites are offered for use by the public or members of an organization.

Camping unit means a portable structure, shelter, or temporary occupancy vehicle designed and intended for occupancy by persons engaged in RVing or camping.

Campsite means a specific area within a recreational vehicle park or campground that is set aside for use by a camping unit.

DHEC/Department means the South Carolina Department of Health and Environmental Control and its authorized representatives.

Exposed surface means ground area composed of barren soil without any vegetation or other means to prevent soil erosion.

Legal resident means the permanent home or dwelling place owned by a person and occupied by the owner thereof and where he/she is domiciled.

Permit means a written document issued by the codes department authorizing a person to operate a campground pursuant to this regulation.

Person means any individual, firm, company, corporation, association, government entity, or similar organization.

Recreational vehicle (RV) means a vehicle or slide-in camper that is primarily designed as temporary living quarters for recreational, camping, or seasonal use; has its own motive power or is mounted on or towed by another vehicle; is regulated by the National Highway Traffic Safety Administration as a vehicle or vehicle equipment; does not require a special highway use permit for operation on the highways; and can be easily transported and set up on a daily basis by an individual (NFPA 1192).

Sewage means liquid and solid human body wastes and the liquids generated by water-using fixtures and appliances (toilets, sinks, tubs, showers, and washing machines, etc.) from any residence, place of business, or place of public assembly. For [the] purpose of this regulation, sewage shall not be construed to include industrial process wastewater.

(Ord. No. 2021-04, 5-17-21)

Sec. 15-83. Campground and recreational vehicle park requirements.

- (a) The minimum acreage for an RV park/campground shall be nine (9) contiguous acres.
- (b) The maximum number of units for a RV park/campground shall be eight (8) units per physical acre with the minimum lot size per unit being twenty (20) feet by thirty (30) feet.
- (c) The minimum spacing between units shall be a minimum of thirty-five (35) feet.
- (d) Adopt NFPA 1194 standard for recreational vehicle parks and campgrounds as a reference to assist any area not covered by ordinance or building codes.
- (e) RV's must be built to the residential building code or the NFPA 1192 recreational vehicle construction standard. Utility buildings are not constructed to either standard and are not permitted for occupancy.

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- (f) Campgrounds and RV parks must provide fire apparatus access roads per the current adopted edition of the South Carolina version of the International Fire Code.
 - (g) Campgrounds and RV parks must provide fire protection water supplies per the current adopted edition of the South Carolina version of the International Fire Code.
 - (h) All land disturbance activities in the creation of an RV or expansions must obtain all necessary permits, including storm water and sediment control permits before land disturbance can begin.
 - (i) RV parks and campgrounds are commercial designations in accordance with the Cherokee County Assessor's office and must have a camper/RV park permit issued by Cherokee County Building Codes Department. Their utility use should accordingly be designated as a commercial use. Commercial parks are required to file with the SCDOR for accommodations tax and sales tax on all transient stays of thirty (30) days or less. Failure to comply will require notification of the offending facility to SCDOR by county authorities.
 - (j) All new RV park construction as of the date of this regulation shall provide for fifty (50) feet of setback from adjoining neighboring properties with an approved buffer (existing vegetation or structures may qualify for the buffer).
 - (k) RVs that are deemed uninhabitable by the county will not be allowed to be placed, parked, or stored in any RV parks in the county.
 - (l) The wheels or similar devices for transportation of any RV shall not be removed except for repairs lasting no longer than ten (10) days.

Modifications of existing RV parks that are made after the date of this regulation shall meet the same requirements as set forth above.

- (m) RV parks and campgrounds camper and RV spots shall comply with the ICC A117.1 State adopted standard.
- (n) Areas of disturbed ground shall be covered or protected with vegetative growth capable of preventing soil erosion, and preserving natural features and landscape as much as possible.
- (o) Areas designated for parking and loading or for circulation shall be physically separated from public streets. All one-way drives shall be twelve (12) feet wide, and two-way drives shall be twenty (20) feet wide, and shall be located at least fifty (50) feet from any street intersection. All interior streets shall be private and not public, and shall be constructed with a four-inch compacted stone or asphalt travel-way approved by the county roads and bridges department. Street grades shall not exceed twelve (12) percent (note: max fifteen (15) percent in county road standards, but twelve (12) percent is standard).
- (p) Each campsite shall be serviced by public water and sewer or other systems approved by DHEC or shall not be located less than one hundred fifty (150) feet from drinking water supply or five hundred (500) feet from a bathhouse.
- (q) Durable, watertight, refuse containers, with fly-tight covers sufficient to contain all refuse, shall be provided at each service building and sanitary waste station, or at a central storage area readily accessible and located not more than five hundred (500) feet from any camp or picnic site unless provided at the campsite. Refuse containers shall be provided at the rate of eight (8) cubic feet or sixty (60) gallons for each five (5) campsites or the equivalent thereof if containers are provided at individual sites. All camp trash and debris must be disposed of by a private qualified third-party contractor.
- (r) No structure or addition can be attached to or supported by a recreational vehicle that would render the vehicle immobile. All structures and construction associated with campgrounds or recreational vehicle parks must be permitted and inspected by the Cherokee County Building Codes Department.
- (s) All recreational vehicles located in camps within the unincorporated areas of Cherokee County must have current department of motor vehicle tags that shall be affixed to the unit.

(t) **Bathroom requirements:**

- (1) If every campsite within a camp is provided with pressurized drinking water and a sewer connection or dump station and only recreational vehicles containing self-contained bathing facilities are allowed use of the campsites, then this section's requirement can be omitted.
- (2) All campgrounds shall have adequate toilet and bathing facilities.
- (3) No campsite shall be located more than five hundred (500) feet from an approved bathroom.
- (4) The following chart shall be used to determine the minimum number of water closets, urinals, lavatories and showers to be provided in bathrooms.

Number of Campsites	Water Closets Men	Water Closets Women	Urinals Men	Lavatories Men	Lavatories Women	Showers Men	Showers Women
1–25	1	2	1	1	1	1	1
26–50	2	3	1	2	2	1	1
51–75	3	4	2	3	3	2	2
76–100	4	5	2	4	4	3	3

****For properties with more than one hundred (100) sites, there shall be one (1) additional toilet and lavatory per sex for each twenty-five (25) sites and one (1) additional shower per sex for each additional forty (40) sites.****

- (5) Bathhouses and other toilet and bathing facilities shall be constructed of durable materials and shall be kept in good repair.
 - a. Structures must be made handicap accessible in accordance with the current adopted building codes; and
 - b. Floors, walls, and ceilings shall be constructed of durable, easily cleanable materials and shall be kept clean and in good repair; and
 - c. Adequate ventilation shall be provided to control odors and help prevent the accumulation of condensation; and
 - d. Adequate interior lighting shall be provided to facilitate cleaning operations; and
 - e. Toilet tissue shall be provided at each toilet; and
 - f. All showers and other bathing facilities shall be supplied with hot and cold water under pressure; and
 - g. Hand lavatories shall provide water.
- (q) The owner of the property or the operating agent shall be responsible for maintaining the camp in compliance with these regulations.
- (r) **Campsite requirements:**
 - (1) Each campsite shall be plainly marked and identified by a numbering system approved by the Cherokee County E-911 Office.
- (s) **Electrical services—All electrical services supplying power for camping units must meet the following requirements:**
 - (1) Maximum service size of one hundred (100) amps or be designed and approved by the building official.
 - (2) All campers must be cord and plug connected to their service.

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- (3) Electrical outlets must be provided in accordance with the most current state adopted National Electrical Code.

(Ord. No. 2021-04, 5-17-21)

Sec. 15-84. Water and sewer requirements.

- (a) Campgrounds shall be provided with safe public drinking water systems. Such systems shall be sized, installed and maintained in accordance with latest state and Cherokee County adopted International Plumbing Code and DHEC regulations.
- (b) Sewage shall discharge into an approved public collection, treatment and disposal system, if available. Where the use of onsite wastewater treatment and disposal systems is necessary, the systems shall be installed and operated in accordance with applicable regulations and standards of DHEC.
- (c) Each campsite which serves recreational vehicles having self contained toilet and/or bathing facilities must be provided either with an individual sewer riser, or with an approved sanitary dump station at a convenient location within the camp.
 - (1) For those campsites where sewer risers are provided, the risers must be part of an approved sewage collection system and be equipped with removable, tight-fitting covers.
 - (2) If sewer risers are not provided, sanitary dump stations are required at the ratio of one (1) dump station for each one hundred (100) sites or fraction thereof.
 - a. A dump station shall consist of one (1) or more trapped four-inch sewer risers surrounded by a concrete apron having a diameter of at least two (2) feet, and sloped to the drain. Risers must be equipped with removable, tight-fitting covers; and
 - b. Each dump station shall be equipped with an adequate water outlet for the washdown of the immediate area. The outlet shall be protected by a vacuum breaker or a check valve installed at its highest point, or by other approved means; and
 - c. A sign shall be placed near the water outlet indicating: "Danger—This Water Not to be for Drinking or Domestic Purposes".

(Ord. No. 2021-04, 5 17-21)

Sec. 15-85. Plan review and application process.

- (a) Campsite plans that will accommodate two (2) or more individual units must be approved by the Cherokee County Planning Commission and designed with the following provisions on a site plan:
 - (1) All individual campsite layouts, property lines, buffers, and setbacks; and
 - (2) Landscape plan and signage plan; and
 - (3) Road provisions for access to each developed site; and
 - (4) All water, sewer/septic and electrical amenities; and
 - (5) DHEC approvals for septic/sewer systems, soil erosion and sediment control; and
 - (6) Location and layout of bathhouses; and
 - (7) Trash disposal/containment plan that includes the type of containers and a schedule for trash pick-up; and

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(Supp. No. 48)

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- (8) Any other structures associated with the property development (i.e. picnic shelters, swimming pools, boat ramps, piers, club houses).
- (b) Approval of an RV park shall be based upon both a determination of the planning commission that the minimum requirements of this chapter are met and that the proposed development is compatible with the surrounding development. Factors of compatibility shall include overall density, the expected performance of the buffer in separating uses of differing intensity, and traffic generation. The meeting of minimum requirements on the part of the applicant does not obligate the planning commission to approve a proposal if the planning commission finds that the development is incompatible with surrounding uses.

(Ord. No. 2021-04, 5-17-21)

Sec. 15-86. Appeals.

- (a) The Cherokee County Planning Commission shall hear and decide all variances of matters specified by this article. Notice of such variance request shall be in writing and shall be filed within thirty (30) days of the time that the decision being appealed is rendered.
- (b) Variances:
- (1) The planning commission, when so appealed to and after a hearing, may vary the application of any provision of this article to any particular case when in its opinion, the enforcement thereof would do manifest injustice.
 - (2) A variance shall be issued upon (i) a showing of good and sufficient cause; (ii) a determination that failure to grant the relief would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a relief will not result in additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public or conflict with existing local laws or ordinances.
- (c) A decision of the planning commission to vary the application of any provision of this article or to modify an order of the Cherokee County Building Codes shall specify in what manner such relief or modification is made, the conditions upon which it is made, and the reasons thereof.
- (d) Any person aggrieved by the decision of the planning commission or any taxpayer may appeal such decision to the Cherokee County Council.
- (e) Decisions:
- (1) The Cherokee County Planning Commission shall, in every case, reach a decision as to the variance request at or before the next meeting or within twenty (20) business days, whichever comes first.
 - (2) If a decision of the Cherokee County Planning Commission reverses or modifies a refusal, order or disallowance of the Cherokee County Building Codes and Inspections Office, or varies the application of any provision of this article, the Cherokee County Codes Office shall take action within ten (10) business days in accordance with such decision by the planning commission.
 - (3) Every decision of the Cherokee County Planning Commission shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the Cherokee County Codes Office and shall be open to public inspection; a certified copy shall be sent by mail or otherwise to the appellant and a copy shall be made publicly available in the Cherokee County Codes Office.

(Ord. No. 2021-04, 5-17-21)

Sec. 15-87. Enforcement.

- (a) Cherokee County Council, by and through its designated official, shall have the duty and responsibility to enforce all provisions of the codes adopted by this article, as may be deemed proper for the welfare, safety, and health of the citizens of Cherokee County, within the unincorporated areas.
- (b) Designation of offenses. Any person, entity or its representative or agent whose acts, actions or failure to act causes a violation of the codes adopted herein shall be issued a uniform ordinance summons, citing said violation. A uniform ordinance summons may be issued by any county official or employee designated as a code enforcement officer and shall not be used to perform any custodial arrest for violations of this article. Any act, action, failure to act or violation of the codes adopted herein is prohibited and declared to be unlawful. Violation of this article shall constitute a misdemeanor. All violations charged pursuant to a uniform ordinance summons, shall vest in the jurisdiction of the Magistrate Court for Cherokee County. Any bond amount for violations shall be prescribed, set and held by the presiding magistrate.
- (c) Penalties and violations. The penalty for each violation of this article shall be punishable by a fine of not more than two hundred dollars (\$200.00). Each day any violation of this article continues shall constitute a separate offense.

(Ord No. 2021-04, 5-17-21)

STATE OF SOUTH CAROLINA

COUNTY OF CHEROKEE

ORDINANCE NO. 2022-28

AN ORDINANCE ADOPTING AN UPDATED CHAPTER 15 ARTICLE V – CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS

WHEREAS, Chapter 15 Article V of the County's Code of Ordinances needs to be updated with updated language;

NOW, THEREFORE, BE IT ORDAINED BY CHEROKEE COUNTY COUNCIL AS FOLLOWS:

SECTION 01 That the current Chapter 15 Article V Campgrounds and Recreational Vehicle Parks be replaced with the attached revised Chapter 15 Article V Campgrounds and Recreational Vehicle Parks.

ADOPTED AND APPROVED BY THE COUNTY COUNCIL OF CHEROKEE COUNTY ON THIS 6th DAY OF FEBRUARY, 2023.

CHEROKEE COUNTY COUNCIL


TIM SPENCER, CHAIRMAN


QUAY LITTLE, VICE CHAIRMAN


ELLIOTT HUGHES


TRACY A. MCDANIEL


LYMAN DAWKINS III


BILLY DEAN BLANTON


DAVID SMITH

ATTEST:


DORIS PEARSON
MASTER CLERK TO COUNCIL

1ST READING 12/05/23
2ND READING 01/17/23
PUBLIC HEARING 02/06/23
3RD READING 02/06/23

UPDATING Chapter 15 Article V Campgrounds and Recreational Vehicle Parks