



CURRY COUNTY COMMUNITY DEVELOPMENT
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**Curry County Community Development Department
Staff Report**

Application AD-1925 is a request for Conditional Use approval for a Dry Camping Facility with a Camp Host at the Social Security Bar along the Chetco River in the Forestry Grazing (FG) zoning district.

1. Background Information

Owner: Oregon Department of State Lands
775 Summer Street NE, Suite 100
Salem, Oregon 97301

Applicant: Curry County Parks
94235 Moore Street, Suite 413
Gold Beach, Oregon 97444

Agent: Josh Hopkins
Curry County Parks Director
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Land Use Review: Conditional Use Review for Dry Camping with a host at the Social Security Bar along the Chetco River.

Property Description: Assessor's Map 40-13-34, Tax Lot #Water-00

Location Subject property is located approximately 4 miles up the North Bank Chetco River Road at the Social Security Bar Access and within the City of Brookings Urban Growth Boundary (UGB).

Existing Development:	Vacant Gravel Bar. Property is a vacant gravel bar that is open to the public for fishing, boating, swimming and other day use activities.
Proposed Development:	Continued outside recreation use including a delineation of a large portion of the gravel bar for seasonal use (May 31-December 31).
Access:	Access is from the North Bank Chetco River Road at the Social Security Bar currently owned by the City of Brookings.
Adjacent Land Uses:	North – Rural Residential East – Chetco River West – Open Access Social Security Gravel Bar; private storage business; residential South – Chetco River
Zone:	Forestry Grazing (FG)
Acreage:	Approximately 4.0+ acres but changes with annual changes in river morphology

II. Applicable Review Criteria

The proposed application for dry camping on the Social Security Bar on the Chetco River must be found in compliance with the following sections of the Curry County Zoning Ordinance (CCZO).

Curry County Zoning Ordinance (CCZO)

Section 2.090	Procedure for Conditional and Permitted Use Permits
Section 3.050	Forestry Grazing (FG)
Section 3.251	Natural Hazard Overlay Zone – Floodplain
Section 3.283	Riparian Corridors
Section 3.052	Conditional Uses Subject to Approval by the Director
	22. Park and Campground subject to Section 7.040 (1 & 17).
Section 4.020	Off-Street Parking
Section 7.040	Standards Governing Conditional Uses

1. Conditional and Permitted Uses Generally

17. Uses on Resource Land

Section 7.050

Time Limit on a Permit for Conditional Uses

III. Background Information

The purpose of this County Parks proposal to locate dry camping at the Social Security Bar is to maintain, oversee and monitor the area to establish a safe recreational experience for all potential users of the gravel bar. The unmanned area, owned by the City of Brookings and the Oregon Department of State Lands, has historically succumb to multiple occurrences of illegal dumping, illegal camping, abandoned active campfires, late night parties, noise and public nuisances. These activities coupled with the existing confusion on which agency has jurisdiction to enforce public obedience has led to a multi-agency agreement that the County would be best to oversee activities in the area. The County is proposing to do this by allowing dry camping with a minimal fee to pay for a full-time park residence and on-going maintenance of the area. The County has adopted rules and regulations governing the public use of County parks which allows both the Parks Director and the County Code Enforcement Officer to issue citations as needed which start as a \$440 misdemeanor.

Curry County Parks is proposing a recreational dry camping RV facility on the eastern half (up river) portion of the Social Security Gravel Bar located about 4 miles up the Chetco River off of the North Bank Chetco River Road. The facility and the activities associated with the dry RV camping experience will be closely monitored by an on-site, year round camp host including when the dry camping season has ended. The facility will be limited to fifty (50) or less RV campers at any given time on a first come first served basis. This amount of use will be monitored and the County may increase or decrease the number of RV campers allowed based on knowledge, experience and community issues or concerns that may arise from the operation of the facility. Dry RV camping is planned to be allowed from May 31 through December 31 as the weather and flood prone river allows. All RV camping is temporary. The County has a time limit for stays of 14 days in the County run park system.

Dry camping can be defined as, camping without the ability to hook up to services like water, power and sewer. It is often called “Boone docking” in the RV community and is a popular option for people wanting more remote and less crowded camping destinations. Dry RV camping on gravel bars already occurs in three locations upstream from the Social Security Bar at the Forest Service managed Nook Bar (approximately 6 miles upstream), Miller Bar (approximately 7 miles upstream) and Redwood Bar (approximately 10 miles upstream). The majority of RVs are self-contained meaning they can store power from a mixture or propane and batteries, they have holding tanks for freshwater, septic, and greywater from dish washing for example. A lot of RV owners carry generators for recharging their batteries. County Parks has

rules and regulations that limit the hours these devices can be used. Self-contained features are not exclusively tied to modern RVs, motorhomes, travel trailers, 5th wheels, cab-over campers, vans, or pop-up tent trailers. Many other recreational camping vehicles have self-contained options regardless of age and many RV enthusiasts have added these features to older vintage RVs, vans, and even older buses.

Access to the Social Security Bar for dry camping will be through the existing City of Brookings Social Security Bar access point off of the North Bank Chetco River Road. This wide gravel access turning area allows for ample maneuvering room for all types of RV camping units to ingress and egress the recreational area without impeding traffic on the North Bank Chetco River Road.

IV. Findings

Section 2.090 - Procedure for Conditional and Permitted Use Permits - *After accepting a completed application for Administrative Action pursuant to Section 2.060, the Director shall act on or cause a hearing to be held on the application pursuant to Section 2.062.*

Finding: The applicant submitted an application for an Administrative Conditional Use permit on December 19, 2019. At that time, the Planning Director determined that it was probable that there would be interest in the project by surrounding property owners and interested persons who currently use the recreational area, and that these persons would desire to have a public hearing. Therefore, the Planning Director is referring the proposed project to the Planning Commission for a public hearing and subsequent consideration of a decision. This finding is met.

Section 3.050 – Forestry Grazing (FG) Zone - *The Forestry Grazing (FG) zone is applied to resource areas of the county where the primary land use is commercial forestry with some intermixed agricultural uses for livestock uses. The purpose of the Forestry Grazing Zone is:*

- a. to implement the forest land policies of the Curry County Comprehensive Plan; and*
- b. to implement the Statewide Planning Goal 4 with respect to forest lands in the county; and*
- c. to implement the agricultural land policies of the Curry County Comprehensive Plan with respect to livestock grazing and related farm uses which are intermixed with forest land in some parts of the county; and*
- d. to implement Statewide Planning Goal 3 with respect to intermixed farmland forest land in the county.*

Finding: This section of the CCZO states the purpose of the Forestry Grazing zoning district. The primary use currently established on the site is recreation. The Forestry Grazing zone provides for a mix of recreational uses including hunting, camping, fishing, water quality

protection, provisions for protection, restoration and enjoyment of wildlife and fisheries resources, etc. Adjacent uses in the area are predominantly large lot residential with a mix of recreation and habitat protection along the Chetco River corridor. The applicant has submitted a Conditional Use application for a proposed use that is consistent with the purpose and the identified uses allowed in the Forestry Grazing zoning district. This criterion has been met.

Section 3.251 – Floodplain – *Portions of zones may be subject to flooding. Restrictions, conditions and regulations for the construction of buildings and uses of land lying in the flood plain zone are subject to the Flood Damage Prevention ordinance of Curry County. The flood plain zones, as indicated on Flood Plain Maps, are an official part of the County Zoning Maps. Flood Hazard Development Permits under the Flood Damage Prevention Ordinance are subject to administrative approval by the Director.*

Finding: This section of the CCZO specifies that a floodplain application is required for any development that is proposed in an area identified on the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (FIRM) Flood Insurance Rate Map (FIRM). The proposed dry camping facility is within the 100-year floodplain as identified on the FIRM which includes the Social Security Bar. Section 9.2-4 of the Curry County Flood Damage Prevention ordinance specifically exempts “*recreation vehicles within a permitted RV park placed within the 100-year floodplain provided they are on site less than 180 consecutive days and are fully licensed and highway ready*” from the flood proofing, tie-downs or elevation provisions of the Flood Damage Prevention ordinance. Further, other dry camping vehicles including tents are not defined as “development” and therefore are not governed by the Floodplain Ordinance. The proposed dry camping project does not allow any camping structure to be on site more than 14 consecutive days. This criterion is met.

Section 3.283 – Riparian Corridor – Uses Prohibited or Limited within the Riparian Corridor – *The following uses are prohibited or limited within a riparian corridor: 1. The permanent alteration of the riparian corridor by placement of structures, by grading or creation of impervious surfaces; and 2. Removal of vegetation in the riparian corridor.*

Finding: The Social Security Bar is totally within a riparian area. The above restrictions set forth in the CCZO prohibit the establishment of permanent structures and limit the removal of riparian vegetation on the gravel bar. The proposed dry camping project does not include the removal of riparian vegetation as there are ample non-vegetated areas to provide spaces for the campers. Further, this section of the CCZO does allow for the removal of non-native exotic vegetation such as scotch broom, pampas grass, Himalayan blackberry, and tansey ragwort which is planned for ongoing maintenance of the dry camping area. This criterion is met.

Section 3.052 – Conditional Uses Subject to Administrative Approval by the Director – This section of the Curry County Zoning Ordinance states: *The following uses may be allowed provided a land use application is submitted pursuant to Section 2.060 of the Curry County Zoning Ordinance and the Planning Director approves the proposed use based upon relevant standards for review in this Ordinance. Numbers in parenthesis following the uses indicate the standards described in Section 7.040 that must be met to approve the use.*” Item 22 of Section 3.052 states: *Park and campground. For purposes of this rule, a campground is an area devoted to the overnight temporary use for vacation, recreational, or emergency purposes, but not for residential purposes. A camping site may be occupied by a tent, travel trailer or recreational vehicle. Campgrounds in this zone shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores, or gas stations (1, 17).*

Finding: The use of the site for a dry camping project is identified as being allowed within the Forestry Grazing (FG) zoning district through the review and compliance with the applicable conditional use standards in the CCZO. The applicant has submitted a complete conditional use application for a public hearing and review by the Planning Commission under the provisions of CCZO Section 2.060 (1) (2). The CCZO Section 3.052 identifies the proposed use as being allowed through a conditional use review. The proposed dry camping activity is one that is devoted to the overnight temporary use for vacation, recreational, or emergency purposes and is not for residential purposes. The County limits camping to no more than 14 consecutive days and does not allow any long-term stays. There will not be any intensively developed recreational uses such as swimming pools, tennis courts, retail stores, or gas stations proposed or planned on site. This criterion has been met.

Section 3.052 (17) – Uses on Resource Land – The following three criteria are required to be addressed for the dry camping use in the Forestry Grazing zoning district:

a) *The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agricultural or forest land.*

Finding: The area proposed for dry camping (gravel bar) has not historically and is not currently used for farming or forestry. The area has been utilized almost exclusively for recreational purposes for many years. It is a favorite fishing spot and in recent years has become an inviting area for picnicking and camping as well. The proposed use will not force a change in or significantly increases the cost of farm or forest practices because these uses do not exist on the gravel bar. This criterion is met.

b) *The proposed use will not significantly increase fire suppression costs or significantly increase the risks to fire suppression personnel.*

Finding: The proposed site is currently subject to unattended campfires, unauthorized fireworks and other unlawful activities that could result in fire hazards to brush and trees located on the gravel bar as well as to adjacent private lands. The County’s proposal to

place a permanent camp host at the Social Security bar to oversee all recreational activities that are occurring in conjunction with the dry camping use is expected to decrease the overall risk of fire. Therefore, the proposed use will decrease fire suppression costs and decrease the risks to fire suppression personnel. This criterion is met.

c) *A written statement is to be recorded with the deed or written contract with the County or its equivalent shall be obtained from the land owner which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Oregon Forest Practices Act and related Oregon Administrative Rules.*

Finding: The private properties adjacent to the gravel bar are within the Brookings Urban Growth Boundary (UGB) and are zoned Rural Residential (RR). Many of these properties have been developed as residential properties. There are no tracks of forest land adjacent to the Social Security Bar. Therefore, this criteria is not applicable.

Section 4.020 – Off-Street Parking - Section 4.020 of the CCZO establishes the required number of parking spaces for proposed uses. There is no parking standard established for a dry campground or any other type of campground. The closest representative parking standard in Section 4.020 is a residential hotel or boarding house which requires four parking spaces per five guest accommodations or a motel which requires one parking space per guest room or suite.

Finding: The applicant has proposed that each dry camping space will have room to park one vehicle not including the camping structure. The parking will be on the gravel bar immediately adjacent to the dry camping structure (RV, tent, etc.). The 4.0 + acres of gravel bar has adequate area to accommodate up to 50 dry camping spaces including 50 adjacent parking spots for the campers. This criterion is met.

Section 7.040 Standards Governing Conditional Uses (Section 3.052 (1)) – *In addition to the standards of the zone in which the conditional use is located and the other standards in this ordinance, conditional uses must meet the following standards:*

Conditional Uses Generally

a. *The County may require property line set-backs or building height restrictions other than those specified in Article IV in order to render the proposed conditional use compatible with surrounding land use.*

Finding: The proposed dry camping use does not include any permanent structures. No additional setbacks or building height restrictions are required; therefore, this criterion is met.

- b. *The County may require access to the property, off-street parking, additional lot area, or buffering requirements other than those specified in Article IV in order to render the proposed conditional use compatible with surrounding land uses.*

Finding: No additional requirements other than those specified in Article IV are required for this proposed use.

- c. *The County may require that the development be constructed to standards more restrictive than the Uniform Building Code or the general codes in order to comply with the specific standards established and conditions imposed in granting the conditional use permit for the proposed use.*

Finding: The dry camping use will be required to meet all State and County health and safety regulations including the Park Regulations set forth in the County Code Article Five – Parks which has been included in the application. This criterion is met.

- d. *If the proposed conditional use involves development that will use utility services; the applicant shall provide statements from the affected utilities that they have reviewed the applicant's proposed plans. These statements shall explicitly set forth the utilities' requirements, terms and conditions providing or expanding service to the proposed development and shall be adopted by the Commission or Director as part of the conditional use permit.*

Finding: The dry camping park will not require water, sewer or electrical hook-ups. The applicant has submitted a service provider letter from the City of Brookings Rural Fire Department who will be providing fire protection to the Social Security Bar. This criterion is met.

- e. *If the proposed conditional use involves the development or expansion of a community or non-community public water system, the applicant shall submit a water right permit(s) or documentation that a permit is not required from the Oregon Water Resources Department which indicates that the applicant has the right to divert a sufficient quantity of water from the proposed source to meet the projected need for the proposed use for the next twenty year planning period.*

Finding: The proposed development of the subject property does not involve the development or expansion of a community or non-community public water system. Therefore, this standard is not applicable.

- f. *If the proposed conditional use involves the development or expansion of a community or non-community public water system, the applicant shall install a raw water supply flow monitoring device (flow meter) on the water system and shall record the quantity of water used in the system on a monthly basis. The monthly record of water usage shall be reported to the Curry County Department of Public Services-Planning Division and Health Department Sanitarian on an annual basis.*

Finding: The proposed development of the subject property does not involve the development or expansion of a community or non-community public water system. Therefore, this standard is not applicable.

- g. *If the proposed conditional use included the development or expansion of a community or non-community public water system and the use is located within the service area of a city or special district water system the applicant shall utilize the city or special district water system rather than developing an independent public water system. An independent community or non-community public water system can be developed for the use if the applicant can prove that it would be physically or economically not feasible to connect to the city or special district water system. The city or special district must concur in the conclusion that connection of the proposed use is not feasible.*

Finding: The proposed development of the subject property does not involve the development or expansion of a community or non-community public water system. Therefore, this standard is not applicable.

Section 7.050 Time Limit on a Permit for Conditional Uses – *Authorization of a conditional use shall become null and void after one year unless substantial construction has taken place or an extension has been granted.*

Finding: In order to comply with Section 7.050 of the CCZO, the conditional use for dry camping at the Social Security Bar will include a condition that the approval expires if development does not commence within one year and if an extension is not requested by the applicant and granted by the Planning Director.

VI. Staff Recommendation

Application **AD-1925** for Conditional Use approval to authorize a dry camping facility on the Social Security Bar zoned Forestry Grazing (FG) located on Assessor's Map 40-13 Section 34, Tax Lot #Water-00 is recommended for **APPROVAL** with the following conditions:

1. This Conditional Use Permit shall be valid for a period of one (1) years unless there is a failure of the applicant to comply with all the conditions of approval. Failure to comply with all conditions of approval, or violations concerning the use approved herein, may result in nullification of this approval by the County.
2. The County shall limit the number of dry camping spaces to 50 in the first year of operation. After the first year, the County shall conduct an evaluation as to the results of the proposed use including the benefits derived from having a presence on the site as well as any continued nuisances that have occurred. This information shall be submitted to the Planning Department for review by the Planning Commission. The evaluation shall include recommendations by County Parks for potential future expansion plans.
3. The County shall not remove riparian vegetation or allow dry campers to remove or impede the growth of riparian vegetation on the gravel bar.
4. This approval will expire one (1) year from the date this decision becomes final. This period of time may be administratively renewed upon receipt of a written request for extension prior to the expiration of the permit and upon the Planning Director finding compliance with the conditions of approval.