



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410-632-1200 / FAX: 410-632-3008  
[www.co.worcester.md.us/drp/drpindex.htm](http://www.co.worcester.md.us/drp/drpindex.htm)

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

### MEMORANDUM

TO: Hugh Cropper, IV  
FROM: Edward A. Tudor, Director  
Phyllis H. Wimbrow, Deputy Director  
Jennifer K. Keener, Zoning Administrator  
DATE: January 9, 2019  
RE: Text Amendment Application - Campground Subdivisions - Occupancy

---

We have reviewed the above referenced text amendment application which you submitted seeking to amend the Zoning and Subdivision Control Article to permit by special exception year-round occupancy of no more than 25 percent of the units within a campground subdivision by persons at least 55 years of age. Specifically, the text amendment you submitted seeks to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K to read as follows:

- K. The Board of Zoning Appeals may authorize, by special exception, year round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of fifty-five years of age, provided such permitted units or sites shall not exceed twenty-five percent of the total.

From a practical standpoint, the staff has a significant number of concerns with the text amendment application as submitted. First and foremost, what you are proposing is as unenforceable as what the current law stipulates, if not more so. At present § ZS 1-318(d)(1)J states that "units or sites in a campground subdivisions shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile" and that "between September 30 of each year and April 1 of the succeeding year, units or sites shall not be occupied for more than thirty consecutive days or an aggregate of sixty days." As you know, the County has struggled with enforcement of the current seasonal occupancy provisions for campground subdivisions. This is due

to the complex method for allowing part-time winter occupancy as well as a lack of staff to be able to actively and effectively regulate it. Based on admissions from residents in White Horse Park who have resided or currently reside there on a year round basis, it is clear that enforcement of the occupancy regulations has not been able to be accomplished. In order to effectively enforce this current regulation the County would have to have a staff person on site checking each unit in the campground subdivision daily from October 1 and March 31 and keeping track of who goes in and out and when, who is staying, who is not in residence. Without adequate staff, this 24/7 surveillance is next to impossible. In our opinion, your proposed amendment only further complicates the matter. To add a provision that up to 25 percent of the units can be occupied on a year-round basis by persons of at least 55 years age would escalate the monitoring and enforcement issues dramatically. Now the staff would also be responsible for verifying the age of residents and visitors as well as how long they're staying, etc. It would also create a first come, first served type of situation. The first 25% of the lot owners that apply for the special exception get to stay year round and the others just have to wait until somebody dies or otherwise gives one up. We would still have to enforce the current restrictions on the other 75% as well. Trying to keep track of all of that would be extremely difficult and consume much time and resources that could probably be put to better use elsewhere.

Equally important, however, is the fact that these facilities are *campground* subdivisions (emphasis added). By their very nature they are intended for seasonal or temporary use only. They are not intended nor are they designed for full-time residences. Compared to residential subdivisions which are intended for year-round use, campground subdivisions have much smaller lots, reduced yard setbacks, substandard roads, etc. that are all reflective of the supposed seasonal and temporary nature of such developments but are not adequate to serve year-round residences. The staff does not believe that any percentage of units within a campground subdivision should be used as year-round residences.

There are two campground subdivisions within Worcester County, namely Assateague Pointe and White Horse Park. Campground subdivisions allow a variety of unit types and while White Horse Park has many manufactured and modular homes, this campground also has and permits recreational vehicles, recreational park trailers and cabins on approximately 465 sites. Assateague Pointe consists of 529 sites with manufactured homes or park trailers. The definitions provided for these types of units under § ZS 1-318(a) clearly state that they are only designed to provide for seasonal or temporary living quarters. Recreational vehicles are not intended to be, nor should they be, used for year-round occupancy. Cabins, recreational park trailers and recreational vehicles are also limited in size to no more than 400 square feet in area. This is a *minimum* of 100 square feet below the gross floor area required for a single-family dwelling. In essence, we would be permitting tiny homes to be occupied on a full time basis. If this amendment were to proceed, additional revisions may need to be made to definitions or other subsections to ensure consistency.