

**REPORT OF THE MOBILE HOME PARK, RECREATIONAL VEHICLE PARK, AND
CAMPGROUND ORDINANCE COMMITTEE**

I. INTRODUCTION AND CHARGE

On June 4, 2024, the Town of Wayne Select Board appointed an advisory committee (“Committee”) to review and revise the existing Wayne Mobile Home Park, Recreational Vehicle Park, and Campground Ordinance, Adopted March 1, 1971 (“Existing Ordinance”). The Select Board appointed Committee members as follows: Betsy Clark, Patty Scheib, Lynette Stinneford, Ted Tucci, and John Yindra. The Select Board charged the Committee with examining the Existing Ordinance to address inadequacies as generally identified in the Moratorium Ordinance enacted on April 16, 2024 by special town meeting.

The Committee has completed its work on the review and evaluation of the Existing Ordinance. As part of carrying out its charge, the Committee is recommending clarifications, revisions, and additions in the form of the attached (clean and red-line version) proposed Mobile Home Park, Recreational Vehicle Park, and Campground Ordinance dated July 29, 2024. (“Amended Ordinance”).

This report provides a brief summary of the Committee’s organization and focus of work, discusses Wayne’s existing regulatory framework and requirements for RV Park/Campgrounds and Mobile Home Parks, identifies inadequacies in the existing regulatory standards consistent with the concerns expressed in the Moratorium Ordinance, and explains the modifications of significance included in the Amended Ordinance and the Committee’s rationale for such modifications.

At the Committee’s initial June 7th meeting, we discussed our charge. The Committee agreed to focus on these areas of general concern:

1. Clarifying the relationship between the Existing Ordinance, the Wayne Zoning Ordinance, and Wayne Subdivision Regulations as they apply to the development and operation of RV Park/Campgrounds and Mobile Home Parks, with the goal of creating a unified set of standards for the Planning Board to apply using the Amended Ordinance in conjunction with the existing requirements under the Wayne Zoning Ordinance and the Subdivision Regulations.
2. Regulating RV Park/Campground and Mobile Home Park development and operation in a manner consistent with and furthering the goals of the Wayne Comprehensive Plan.

3. Understanding the characteristics and operation of contemporary RV Park/Campgrounds and Mobile Home Parks since the Existing Ordinance's enactment in 1971, and crafting an Amended Ordinance so as to promote effective current and future regulation of such uses.

4. Balancing between the potential benefit from future commercial development while continuing to protect Wayne's abundant natural resources such as forested areas, ponds, streams, wetlands and sensitive wildlife habitats.

The Committee met multiple times to carry out its work. In addition, individual Committee members did extensive research on various topics related to our charge. Committee members reviewed and analyzed zoning regulations/ordinances from approximately two dozen communities – mostly in Maine, read articles discussing how traditional “camping” has changed to more of a resort-style activity, and articles on effective regulation of modern RV Park/Campgrounds. In particular, the Committee took note of and guidance from the Readfield Land Use Ordinance (adopted June 13, 2023). The Committee also solicited input from campground owners and the Code Enforcement Officer on issues specific to RV Park/Campground and Mobile Home Park operation and regulation.¹

II EXISTING REGULATORY FRAMEWORK

The Committee concluded that Wayne's current regulatory intent, as expressed under the Wayne Zoning Ordinance, with respect to RV Park/Campgrounds and Mobile Home Parks is to subject them to extensive zoning review and scrutiny in order to ensure safe and responsible operation, but also to generally limit their proliferation in the Town.

In reviewing the Comprehensive Plan for Wayne, the Committee noted that is replete with references to the importance of maintaining large tracts of undeveloped open space, linking the well-being of Wayne residents to the region's abundant natural resources, and preserving the Town's rural character. (Comprehensive Plan, pp. vii, 21-46, 79, and 113-17). For commercial land use, the Comprehensive Plan describes an approach that allows commercial uses in many areas, but “control[s] impacts” through zoning regulation in order to “protect sensitive natural resources, and maintain the town's character.”

The Land Use Table in the Wayne Zoning Ordinance clearly prohibits RV Park/Campgrounds and Mobile Home Parks in every zoning classification except R-3 (Rural Residential and Farming) and R-4

¹ The Committee contacted Androscoggin Boys Camp. We note that under Title 22, §2491 of Maine statues, it is regulated as a “youth camp” and not a campground. The Committee notes that the Wayne Zoning Ordinance does not define a “youth camp” or appear to specifically regulate that use.

(Shoreland).² Even in the R-3 and R-4 zones, these uses cannot be established without Planning Board review and approval through the conditional use permit process. In the Shoreland Zone, Article V imposes extensive limitations addressing timber harvesting and tree clearing, erosion and sedimentation control, soils requirements, water quality, and protection of archeological sites. Land below the high-water mark and Wetlands cannot be counted toward land available for use as RV Park/Campground space. No RV Park/Campground is permissible in the R-4 zone without at least 500 feet of shore frontage. In addition, the Existing Ordinance and the Wayne Zoning Ordinance make clear that RV Park/Campgrounds and Mobile Home Parks are to be treated as Subdivisions for both procedural review and substantive approval by the Planning Board. (WZO, p. 17). The Committee concluded that the existing ten acre minimum lot requirement for RV Park/Campgrounds indicates Wayne's zoning intent to avoid proliferation of multiple RV Park/Campgrounds in the Town, even in rural and farming areas.

III. EXISTING REGULATORY INADEQUACIES

Based on our research on the experience of over two dozen Maine towns, the Committee concluded that over the last 50-plus years, camping has morphed from primarily an outdoor wilderness experience to a recreational lodging resort experience, though often in or near sensitive natural resource and environmental areas.

The Committee concluded, consistent with the concerns expressed in the Moratorium Ordinance, that the Existing Ordinance is inadequate to regulate a contemporary RV Park/Campground that often includes semi-permanent structures having full-service living features (kitchen, plumbing, heat, air conditioning) and extensive recreational, dining and amusement amenities/facilities (climbing and play structures, splash pad pools, jumping pillows, food truck courts, dog parks, outdoor theaters). Yesterday's recreational vehicle campgrounds consisted mostly of accommodating individuals hauling their own trailer/camper, driving an RV, or bringing tenting/camping gear for sleeping arrangements. By contrast, the predominant approach in the contemporary RV Park/Campground is to accommodate guests in a manner similar to a full-service short-term stay resort. Such RV Park/Campgrounds operate at a higher intensity and density of use (semi-permanent sleeping facilities that do not require customers to bring anything and that can sleep more people and allow for frequent turnover of paying customers). Of particular concern with this business model is the increased ability customers to haul boats (instead of campers or travel trailers), thereby increasing the threat of spreading invasive aquatic plants in Wayne's ponds and streams. An RV Park/Campground that is built to encourage short-term stays day visitors, group events, and high turnover is qualitatively different than a campground geared toward longer-term seasonal occupancy.

The Existing Ordinance does not have adequate standards to address density of occupancy, intensity of use, limits on seasonal operation, protection of the environment, limitation on total number of permissible spaces, destruction of forested land, management and supervision, prohibition of day use screening and buffering of the commercial use from residential neighbors, and burden on town resources such as roads, fire protection, boat launches, and public parks. Because the characteristics of RV Park/Campgrounds have changed, new development of this use has the potential to fundamentally alter and degrade the

² The Committee believes that the reference to "Mobile Home Park, Recreational Park and Campground Ordinance" on page 8 of the Land Use Table demonstrates Wayne's intent to prohibit Mobile Home Parks everywhere but the R-3 and R-4 zones, but this could be stated more clearly.

predominantly rural character of the Town. Accordingly, the Committee concluded that a commercial RV Park/Campground with the characteristics and features described above would be incompatible with the planning and zoning goals for Wayne, that this use was not addressed adequately by existing regulation, and that additional standards were necessary to control the density and intensity of the RV Park/Campground use.

With respect to the Mobile Home Parks, the Committee noted that no such developments currently exist in the Town. Because Mobile Parks consist of permanent structures and are residential in use and character, they present fewer concerns than a commercial resort-style facility for overnight transient customers. The Existing Ordinance requires a minimum of 20,000 square feet (with on-site subsurface disposal) for each mobile home. Accordingly, one acre of land can support no more than two mobile home structures. The Wayne Zoning Ordinance definition of Mobile Home Park is “land on which three (3) or more mobile homes are installed.” Therefore, the Committee concluded that Wayne’s zoning intent is to subject even a small grouping of mobile homes to the intensive requirements governing a Mobile Home Park. In researching other Maine towns, the Committee did not find zoning regulations imposing a limit on the maximum number of mobile homes allowed in a single development. Accordingly, the Committee believes this judgment should be left to the Planning Board’s sound discretion.

IV. PROPOSED AMENDED ORDINANCE

The Committee’s proposed Amended Ordinance accompanies this Report. For ease of reference, also attached is a track changes version showing the modifications to the Existing Ordinance.

The Committee believes that the Amended Ordinance responds appropriately to inadequacies identified in the Moratorium Ordinance, as well as the focused areas of concern identified earlier in this Report. Specifically, the Amended Ordinance accomplishes the following:

1. Integrates the Mobile Home Park, Recreational Vehicle Park, and Campground Ordinance with the existing requirements of the Wayne Zoning Ordinance governing RV Park/Campgrounds, and the Wayne Subdivision regulations to create a unified regulatory framework.
2. Reinforces that the existing Wayne Zoning Ordinance Land Use Table limits potential future development of RV Park/Campgrounds and Mobile Home Parks to the R-3 and R-4 zones, subject to an intensive conditional use permit application process, and reinforces that expansion of non-conforming RV Park/Campgrounds in other zones is not permitted.
3. Establishes that all RV Park/Campgrounds must, in addition to Wayne’s Zoning regulations, comply with all applicable Maine statutes and regulations for RV Park/Campground use, including the Maine Department of Human Services Regulations for Tent and Recreational Vehicle Parks and Wilderness Parks, Chapter 205.

4. Requires that RV Park/Campgrounds operate seasonally and be comprised of Temporary Structures rather than cabins or structures permanently affixed to land. This is consistent with the regulatory intent to distinguish RV Park/Campgrounds from residential use and to lessen the impact of development on larger tracts of land.
5. Ensures that RV Park/Campgrounds will not adversely impact natural resources by requiring evidence of an ample and safe groundwater supply, and protecting sensitive areas from disturbance (wildlife habitat, wetlands, archeological sites).
6. Regulates ongoing operation of RV Park/Campgrounds to ensure safe and sanitary conditions for customers, while minimizing impact on adjacent landowners and the public through enhanced setback, screening and buffering, noise and lighting limitations, and day use and event restrictions.
7. Reduces density and intensity of use, thus minimizing potential impact on undeveloped tracts of land by limiting the size of RV Park/ Campground sleeping accommodations to 400 square feet (maximum for park model unit/RVs) and the density per acre of developable land. Allows flexibility for RV Park/Campgrounds as types of accommodations change in the future (i.e., glamping structures).
8. Fosters protection of Ponds and Streams by requiring boat inspections for RV Park/Campgrounds in the Shoreland Zone, regulating campfire use, limiting phosphorus fertilizer, and reducing destruction of trees, vegetation, and forested areas.
9. Creates additional protection for forested areas, sensitive natural and wildlife habitats, and existing topography and landscape by limiting clearing and grading.
10. Preserves the rural character of Wayne and lessens the burden on Town resources by allowing up to 80 RV Park/Campground spaces, recognizing that each space typically accommodates six to eight people.

V. CONCLUSION

The Committee believes that Wayne residents recognize and cherish their town as a special place. This feeling comes not only from the people who call Wayne home, but from the abundance of “natural resources particularly its forests, lakes and wetlands, and agricultural soils”. (Comprehensive Plan, p. 21). The Committee notes that “Wayne’s land use regulations attempt to ensure that construction and development do not unduly disturb these resources.” (Comprehensive Plan, p. 21). The Amended Ordinance is offered in furtherance of that goal.