

## REQUEST FOR COMMITTEE ACTION

### HENDERSONCOUNTY TECHNICAL REVIEW COMMITTEE

**MEETING DATE:** August 4, 2015

**SUBJECT:** Rezoning Application #R-2015-02

**PRESENTER:** Christopher Todd, Planner

**ATTACHMENTS:** 1. Staff Report  
2. Vicinity Map

#### **SUMMARY OF REQUEST:**

Rezoning Application #R-2015-02, which was initiated on June 16, 2015 at the request of property owner, Larry Hill, who requests the County rezone approximately 0.47 acres of land (thereafter the "Subject Area") Local Commercial (LC) zoning district to a Residential Two Rural (R2R) zoning district.

#### **TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:**

Planning Staff requests the Technical Review Committee take action to recommend that the Board of Commissioners approve zoning application #R-2015-02 to rezone the Subject Area to a Residential Two Rural (R2R) zoning district.

#### **Suggested Motion:**

I move that the TRC recommend approval of rezoning application #R-2015-02 to rezone the Subject Area to a Residential Two Rural (R2R) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan.

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## Henderson County Planning Department Staff Report

### Rezoning Application #R-2015-02 (LC to R2R)

Larry Hill and Linda Holbert, Owner(s)  
Larry Hill, Applicant

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#### 1. Rezoning Request

- 1.1. **Applicant:** Larry Hill
- 1.2. **Property Owner:** Larry Hill and Linda Holbert
- 1.3. **PIN:** 9599797487
- 1.4. **Request:** Rezone subject area from a Local Commercial (LC) zoning district to a Residential Two Rural R2R district (R2R).
- 1.5. **Size:** Approximately 0.47 acres of land.
- 1.6. **Location:** The subject area is at the intersection of Piney Mountain Rd (SR 1733) & Sugarloaf Rd (SR 1902).

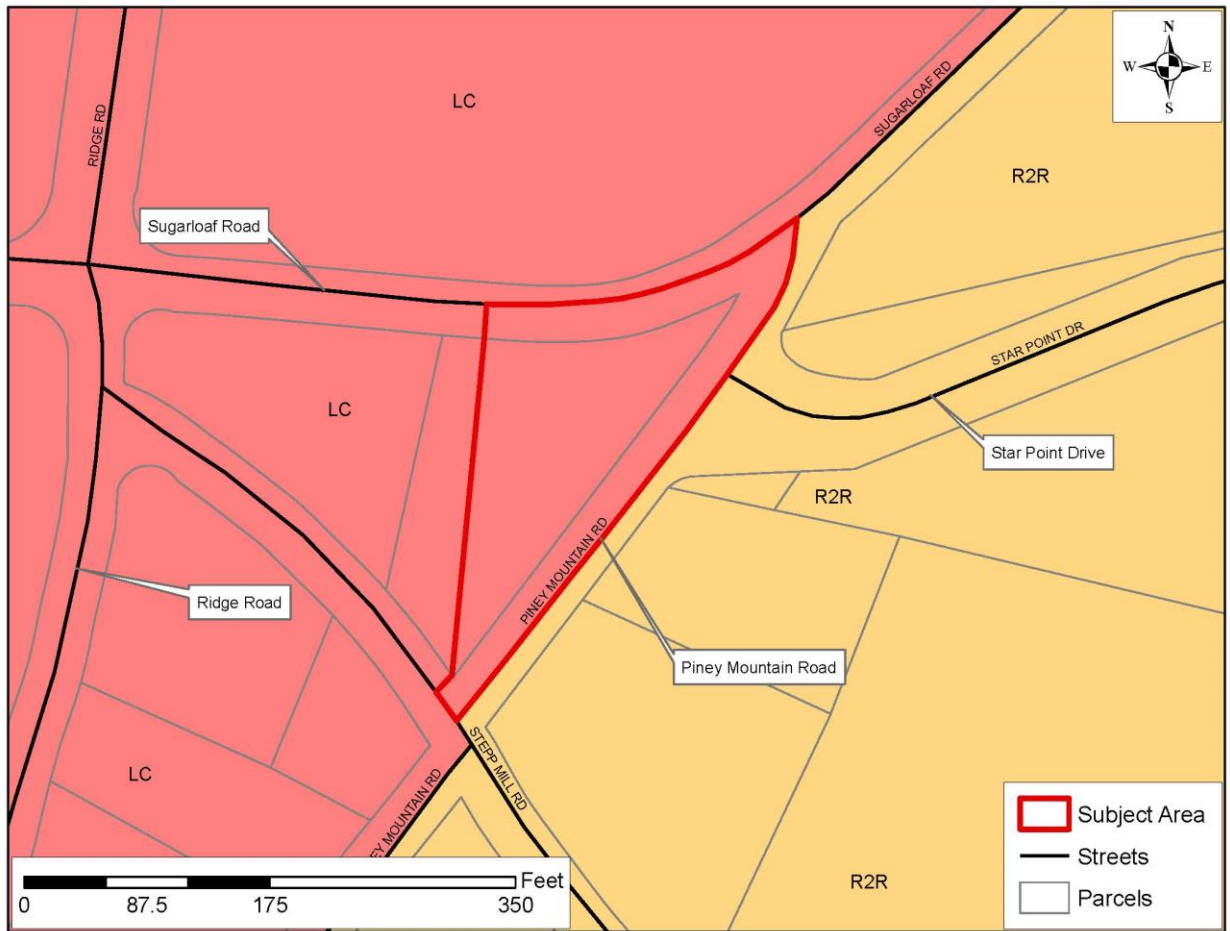
**Map A: Aerial Photo**



**2. Current Zoning**

2.1. **Application of Current Zoning:** The subject area was zoned Local Commercial (LC) on September 19, 2007 with the adoption of the Land Development Code. (See Map B). Prior to this date, the subject area was zoned Open Use (OU).

**Map B: Current Zoning**



2.2. **Adjacent Zoning:** The subject area is adjacent to Residential Two Rural (R2R) to the east. The subject area is surrounded by Local Commercial (LC) in all other directions.

**2.3. District Comparison:**

2.3.1. **Residential Two Rural (R2R) Zoning District:** *“The purpose of Residential District Two Rural (R2R) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density residential development, with the inclusion of manufactured housing, consistent with the recommendations of the Comprehensive Plan. This general use district is typically meant to be utilized in areas designated as transitional in the Comprehensive Plan”* (Chapter 42A, Land Development Code §42A-29). R2R

requires 10 foot side and rear setbacks, a maximum building height of 40 feet, and a standard density of one (1) unit per acre (maximum density of 2 units per acre).

**2.3.2. Local Commercial (LC) Zoning District:** *“The purpose of the Local Commercial District (LC) is to foster orderly growth where the principal use of land is commercial and residential. The intent of this district is to allow for commercial development consistent with the recommendations of the Comprehensive Plan. In accordance with the Comprehensive Plan, the district will allow for and provide commercial and residential developments that: (1) includes a variety of retail sales and services, public and private administrations, offices and all other uses done primarily for sale or profit on a local or neighborhood scale; (2) is directed largely to Community Service Centers as defined in the Comprehensive Plan; (3) is compatible with adjacent development and the surrounding community; and (4) will minimize congestion and sprawl. This general use district is meant to be utilized in all service areas”* (LDC §42A-33).

(1) Local Commercial LC (LC) requires 10 foot side and rear setbacks; (2) establishes a maximum building height of 40 feet; (3) Provides a 30,000 square feet maximum gross floor area for one unit in a multi-tenant structure, 10,000 square feet for any other commercial use or a single unit on a single lot, a maximum of 80,000 square feet for any multi-tenant structure, and a standard density of four (4) units per acre for residential (maximum sixteen (16) units per acre) (Chapter 42A, Land Development Code §42A-33)

### **3. Current Uses of Subject Area and Adjacent Properties**

3.1. **Subject Area Uses:** The subject area is currently vacant land.

3.2. **Adjacent Area Uses:** The surrounding properties contain both commercial and residential uses. Residential uses are found on the western, eastern, and southern edges of the property. Commercial uses found to the north of the property.

### **4. The Henderson County 2020 Comprehensive Plan (CCP)**

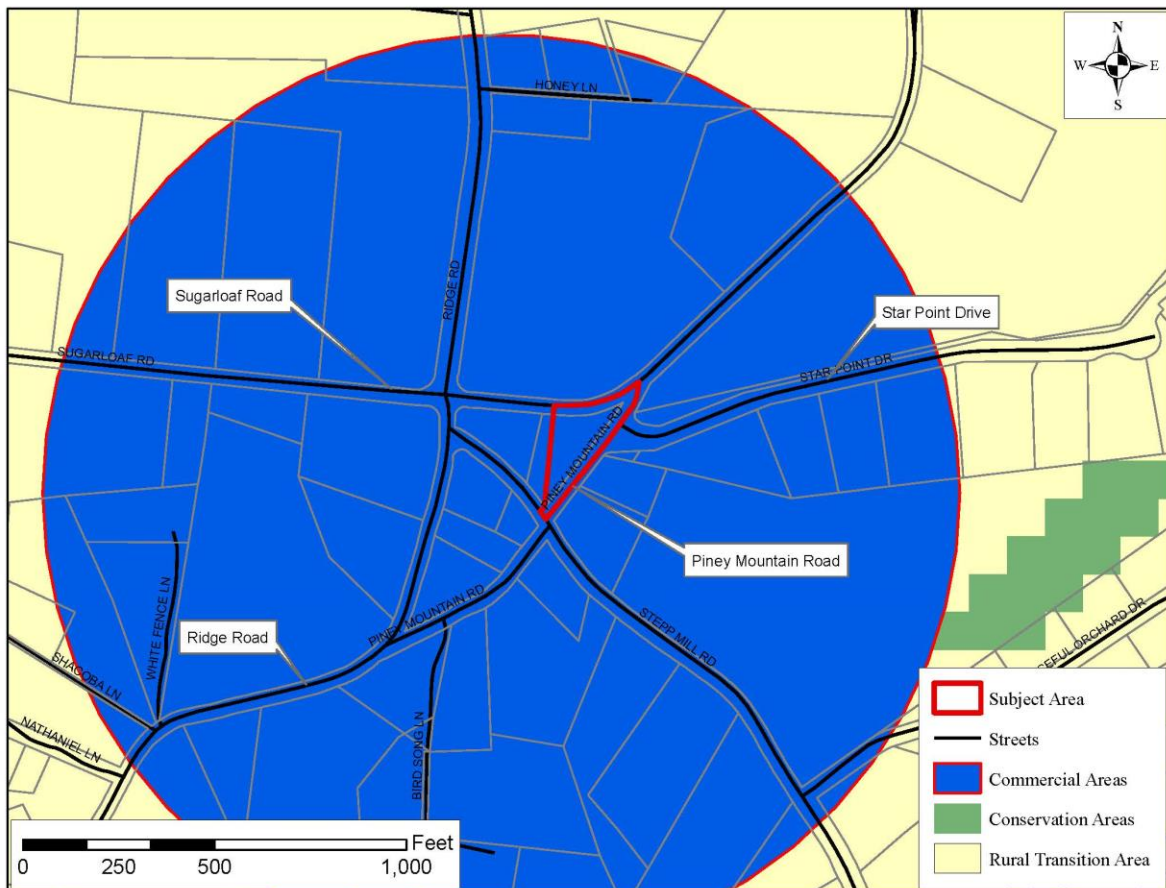
4.1. The CCP Future Land Use Map identifies the subject area as being located in the Urban Services Area and Rural Transition Area (2020 CCP, Pgs. 128, 129 & Appendix 1, Map 24). (See Map C).

4.1.1. **Urban Services Area:** The CCP states that, “Community Service centers are intended to be intensive, efficient, define concentrations of mixed services that meet the needs of the surrounding community and defined service areas. Community Service Centers are appropriate for a mixture of

commercial uses scaled to the service area in question; residential uses varying densities depending upon available services; and Community facilities such as schools, parks, community centers, and other similar facilities.” (2020 CCP, Pg. 138).

4.1.2. **Rural Transition Area:** The CCP states that, “The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. The text of the 2020 CCP suggests that the subject area would be suitable for clustering and conservation design encouraged with the intent of maintaining a rural environment, protecting sensitive natural areas, and reserving land for future development. (2020 CCP, Pg. 130)

**Map C: 2020 County Comprehensive Plan Future Land Use Map**

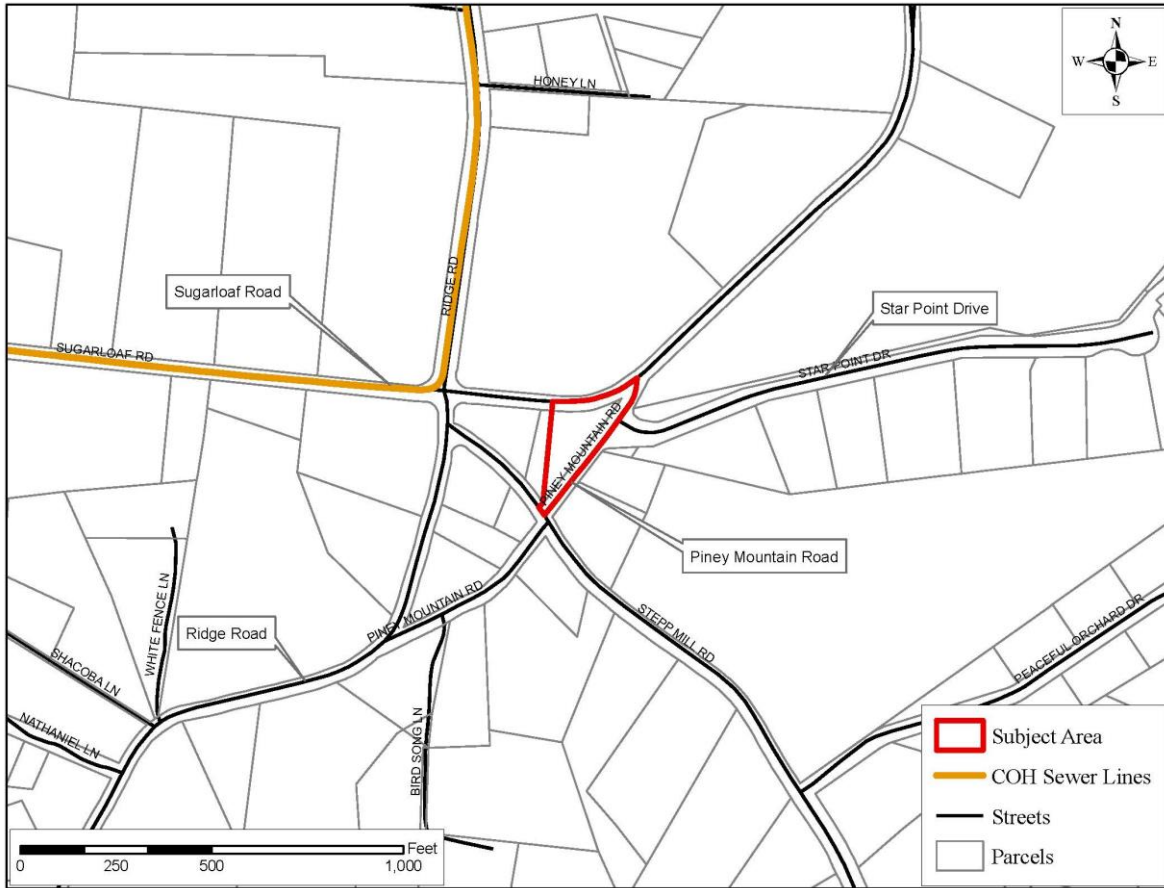


5. **Water and Sewer**

5.1. **Public Water:** There are no public water lines near the property.

5.2. **Public Sewer:** A City of Hendersonville sewer line runs along Sugarloaf Rd and Ridge Road. (See Map D).

**Map D: Water and Sewer Map**



6. **Community Plan**

6.1. **Dana Community Plan:** The Dana Community Plan zoning recommendation which was adopted on November 19, 2014 recommended no change for the subject area in zoning.

7. **Staff Comments**

7.1. **The 2020 CCP:** The CCP Future Land Use Map (See Map C) places the Subject Area in the “Urban Services Area” classification. The text and map of the 2020 CCP suggest that the Subject Area would be suitable for high-density residential, commercial or industrial development. The CCP indicates that the USA may be suitable for commercial development provided the development is in keeping with the surrounding community.

7.2. **Adjacent Zoning:** The subject area is adjacent to Residential Two Rural (R2R) zoning to the east.

7.3. **Comparison of Districts:** The existing Local Commercial (LC) zoning district does not allow for all residential uses in order to promote more commercial uses and commercially zoned land. Applying Residential Two Rural (R2R) zoning will allow for all types of residential uses with a standard density of 1 unit per acre. R2R also allows some limited commercial uses.

**8. Staff Recommendations**

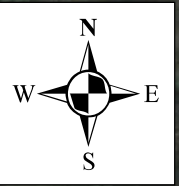
8.1. Staff's position at this time, under the guidelines of current plans, policies and studies, is it supports the rezoning of the Subject Area to Residential Two Rural (R2R) consistent with the recommendations of the Henderson County 2020 Comprehensive Plan.

**9. Technical Review Committee Recommendations**

9.1. To Be Determined

**10. Planning Board Recommendations**

10.1. To Be Determined

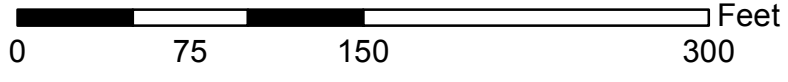


Sugarloaf Road

Ridge Road

Star Point Drive

Piney Mountain Road



-  Subject Area
-  Streets
-  Parcels