

MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
JANUARY 12, 2005**

The Henderson County Board of Commissioners met for a special called meeting at 6:00 p.m. in the Commissioners' Conference Room of the Henderson County Office Building.

Those present were: Chairman Bill Moyer, Vice-Chairman Charlie Messer, Commissioner Larry Young, Commissioner Shannon Baldwin, Commissioner Chuck McGrady, County Manager David E. Nicholson, Acting County Attorney Russell Burrell, and Clerk to the Board Elizabeth W. Corn.

Also present were: Planning Director Karen C. Smith, Planner Anthony Prinz, and Chairman of the Planning Board Tedd Pearce.

**CALL TO ORDER/WELCOME**

Chairman Moyer called the meeting to order and welcomed all in attendance. He stated this was an opportunity for the Board of Commissioners to meet with representatives of the Planning Board and receive their comments and talk with staff about their recommendations and ask questions and decide how the Board wishes to proceed. He stated that there would be no public comment.

**Introductory Comments by Tedd Pearce**

“On behalf of the Planning Board members, I would like to thank Karen and her staff for the tremendous support and the quality of effort they have provided in developing the tools for the subcommittee and the board to study this rezoning. I especially want to thank Anthony and Autumn for their hard work and patience with both the committee and the planning board as we struggled through this study.

Almost two years ago a study was initiated by CMR for recommendations on how to rezone 25 North. When the Planning Board received the study and its recommendations, the most glaring problem with the study was its (multiple choice) approach to the rezoning. You should have a copy of this in your packets or in some of the information you have been provided on this. For the most part, we disregarded the recommendations and started over again.

As we started, we as a group decided that the CCP would and had to be our guiding source for information and for how to proceed on the study. We also quickly realized that our Zoning Ordinance was very inadequate, especially as it related to Commercial Zoning Districts. Using these premises as our starting point we studied the area through the subcommittee level and came up with our tentative zoning.

Then the Planning Board immediately began a series of public input sessions and then after those we went back to the individual items requested or voiced by every person who either spoke at the public input sessions or gave us verbal or written communications about specific properties. Obviously, this whole input process created a lot of press and strong feelings on both sides. We studied people’s comments and have before you the final recommendations of the Planning Board as well as supporting data to help you in your decision making process.

Foremost in our recommendation is the fact that the Planning Board feels that Henderson County does not possess the necessary tools to provide for the long term development of 25 North or any other area, for that matter. We feel especially deficit in the following areas: permitted commercial uses in districts; flood plain regulations; access management; sign controls; buffering and there’s a few more that we

DATE APPROVED \_\_\_\_\_

probably could add to that also. We strongly urge your board to initiate review and implementation of these above listed items. Once completed, we would like as a Planning Board to have a second look at the 25 North zoning proposals and see if we can revisit the zonings, especially the commercial zonings and possibly implement some zoning changes that will hopefully please the rest of the property owners we have not pleased.

I strongly urge you to accept the Planning Board recommendations as presented. I think you will find that we have been unbiased in our approach and have adhered to the County Comprehensive Plan.”

### **Review of Study Area and Planning Board’s Zoning Recommendations**

Karen Smith and Anthony Prinz made a G.I.S. presentation of the study area, showing maps of floodplains, aerial photos and other pertinent information. They were able to project two images at once, showing the proposed zoning as well as the current zoning. They answered many questions from the Board.

They then reviewed with the Board the Planning Board’s recommendations, beginning in the northern end of the study area.

#### **North Study Area:**

**Figure 1 – Industrial** – The Planning Board has proposed industrial for some plots of land that have existing industrial uses, such as Arvin Meritor, Owen Manufacturing, Southern Concrete Materials site, and TDN Corporation. Some of the larger parcels along Old Hendersonville Road have also been included in this I-2 District. There is an existing industrial subdivision along that road, Brickton Associates. They are developing that lot by lot so it was included in the area as well. By zoning some undeveloped parcels I-2, the idea was to reserve some future areas for industrial development. They have access to US Hwy. 25 North, the rail-line and access to public water and sewer.

**Figure 2 – Light Industrial** - A Light Industrial district is recommended along I-26 in the area of Twin Springs Road, Naples Road and Old Naples Road. I-1 is recommended in this area based primarily upon existing uses, including: A Self-Storage Depot, ISS Co. Manufacturing and Machining, WAEN PAX-TV, and Oxilife, Inc. The properties within this recommended I-1 district are located adjacent to I-26 where existing development, access to transportation infrastructure, and topography are more conducive to light industrial development. A residential neighborhood located on Canterbury Way is separated from these parcels by elevated topography and extensive vegetation.

The Future Land Use Map does not specifically recommend industrial land use in this area. However, this area of the Study is in the Urban Services Area and the CCP does state that urban scale development should occur in the Urban Services Area, including industrial uses in appropriate locations.

#### **Commercial**

Recommendations for commercial zoning in the northern portions of the Study Area are generally concentrated along US Highway 25 North, at or near the interchange with I-26. Commercial zoning districts in this area were placed in relation to existing commercial land uses and property suitable for expansion of such development. C-4 Highway Commercial was recommended in this area to create a regional scale commercial node at this key intersection with I-26. C-4 accommodates existing uses in the northern portion such as Smiley’s Flea Market, Auto Advantage, the multiple manufactured home sales lots, Todd’s RV and Marine, Southern States, Crystal Visions, as well as others. Further, uses commonly found in regional scale commercial centers such as shopping centers, hotels, hospitals, etc. are also permitted in the C-4 district. Access to I-26 and US Highway 25 North and the amount of undeveloped

land suitable for development makes this a prime location for regional commerce. Henderson County has limited access to major thoroughfares such as I-26; therefore, these access points should be utilized to their fullest extent.

A small area on Butler Bridge Road was also recommended as C-4 to accommodate existing uses along I-26.

Recommendations of C-4 in this area are consistent with the recommendations of the Future Land Use Map. Two community service centers are recommended in this area and the Planning Board proposed they be melded into one regional commercial center located around the I-26/US Highway 25 North interchange.

### **Residential**

Recommended residential zoning in northern sections of the Study Area include two R-15 Medium-Density Residential districts and one T-15 Medium-Density Residential with Manufactured Homes district. In both cases where R-15 was recommended, recommendations were based primarily on existing land use and lot size. In general, the most prominent land use in both of these proposed districts is single-family residential. Analysis of lot size determined that most existing lots in this area comply with the minimum standards set forth by the R-15 district, thus limiting nonconforming lots. Creation of these two R-15 districts is intended to protect existing residential uses while allowing future medium-density residential development. Municipal water is accessible in this area along Butler Bridge Road and North Rugby Road, but public sanitary sewer is not currently available to residents in this proposed R-15 district. The R-15 district also allows for multifamily residential uses such as apartments, duplexes, etc. If an R-O Residential Open Spaces Development, or Planned Unit Development Special Use Permit is obtained, expansion of existing multifamily uses such as the Tennis Ranch Apartments is possible.

The R-15 district west of US Highway 25 North is not consistent with general land use recommendations provided by the Future Land Use Map. The area in question is recommended for industrial use by the Future Land Use Map.

The T-15 district east of US Highway 25 North in the area of Howard Gap Road and Old Hendersonville Road was recommended in an effort to recognize an established community consisting of a mixture of conventional style and manufactured homes on individual lots. Topography in this proposed district is favorable for residential development and there is potential for future growth in this area. When public sewer and water are available along Howard Gap Road, T-15 could possibly allow future infill development and higher densities. Current recommended zoning would create only one nonconforming lot based upon the minimum required lot size, and, at the same time, reduce the number of nonconforming uses significantly if zoned residentially, by allowing manufactured homes by right.

This recommended T-15 does conform with recommendations of the CCP's Future Land Use Map for higher densities of residential development in the Urban Services Area.

### **Rural Conservation**

The purpose of the RC Rural Conservation district as established by the Zoning Ordinance is to "help protect natural resources...while maintaining the rural character associated with existing agricultural and low-density residential development." Because of this, RC was recommended in many areas throughout the Study Area to work toward preserving agriculture uses and to limit density of development in flood-prone areas, while allowing a diverse range of development choices. The basic premise of using an RC district in such areas is that with lower densities and intensities of use, there is less impact on the natural

environment and hopefully less risk for people and property from the effects of flooding. RC permits uses such as single-family homes, churches, family care homes, outdoor recreation, and a variety of commercial uses with a minimum lot size of one acre.

A number of parcels in the northern section of the Study Area are recommended as RC districts. Three of these parcels are located adjacent to existing RC districts with two parcels being almost completely within the floodplain. One of the western-most RC parcels, along US Highway 25 and Rockwell Drive, is currently used for agriculture and is also entirely within the floodplain, RC was recommended for this western parcel in an attempt to preserve agricultural property, and also to coincide with the Town of Fletcher's R-1 Low-Density Residential District adjacent to this parcel.

Parcels (and portions of parcels) to the west along Mud Creek in the area of Rugby Drive and US Highway 25 were recommended as RC primarily to account for a significant amount of floodplain area. The RC district is consistent with existing lot size and uses in this area including Mr. Gudger Merrill's farm and vegetable stand, as well as Jake's Driving Range. RC in this area is consistent with recommendations for parcels in the floodplain along Mud Creek to the southeast. Recommended RC zoning does comply with general land use recommendations of the CCP's Future Land Use Map for conservation and low intensities of use in these areas.

### **Open Use**

Twenty-four parcels (approximately 600 acres) in the eastern portion of the Study Area, corresponding to properties owned by the Layman Foundation and Park Ridge Hospital are recommended to remain Open Use at this time. The intent of this recommendation is to postpone the rezoning of these properties until the Zoning Ordinance rewrite project is completed so a more appropriate district can be developed and utilized to accommodate the mix of land use on these properties, as well as other properties in the county, in the future. The County's Zoning Ordinance does not currently include a district that would accommodate all of the existing or future uses on either of these campuses. A Human Services Campus District (HCSO) was recommended in the CMR Services, Inc. Study; however, the Planning Board discussed this option and decided that they wanted to wait until the Zoning Ordinance rewrite before recommending any new zoning districts for this area.

A number of parcels in the area of PJ's Place, owned by Mr. P.J. Moore, are also recommended for Open Use zoning based upon the submittal of 2 contracts stating the intentions of AHS Sunbelt, Inc., to purchase the property for future use by Park Ridge Hospital.

Open Use zoning for these parcels promotes recommendations of the CCP's Future Land Use Map by allowing virtually any use of the property by right, whether commercial, industrial, or residential. The Future Land Use Map does show a Community Service Center in this area, and recommends mixed use of this property.

An R-15 district was recommended in the area of Holly Hill Road and April Lane because of existing single-family residential development that is consistent with the requirements of the R-15 district. These parcels are contiguous to an existing R-15 district established through the Howard Gap/Brookside Camp Zoning Study, a Study from which these parcels were removed prior to adoption of the zoning.

The proposed R-15 district is consistent with the recommendations of the Future Land Use Map for higher densities of residential development in the Urban Services Area.

### **Central Study Area:**

The central section of the US Highway 25 North Study Area does not adjoin any municipal boundaries; however, it does border and include a number of existing County zoning districts. Recommended zoning in this area is intended to be consistent with existing zoning and land uses while implementing policies set forth by the CCP.

### **Industrial**

The Planning Board recommends that the existing Mountain Home Industrial Park and three parcels located to the north and northwest of the Park be zoned I-2. This recommendation is based upon the fact that there are numerous adjacent industrial uses (Haynes Wire Co. [formerly known as Branford Wire Co.], Clement Pappas, Kyocera Industrial Park, etc.) These properties are only accessible through the Industrial park and many adjoin the Norfolk-Southern rail line. One also adjoins I-26. Expanding the property zoned I-2 around the Mountain Home Industrial Park is intended to reserve more area for industrial development with access to major transportation thoroughfares. Currently, the Mountain Home Industrial Park has access to municipal water and sanitary sewer provided by the City of Hendersonville. The use of pumping stations to overcome topographic constraints reduces the ability for sewer expansion in this area and increases the cost of maintenance and service. A significant portion of the property in the Mountain Home Industrial Park is within the 100-year floodplain and has limited development potential.

Two I-1 districts are recommended for seven parcels which adjoin US Highway 25 North in the middle section of the Study Area. I-1 is recommended in these areas to account for existing industrial uses and zoning. Four parcels to the west of US Highway 25 North in the area of Old Roper Road contain existing industrial uses such as the Salvation Army warehouse, Worley's Used Furniture and Repair, and a mini warehouse storage facility. Currently, three of the four parcels are zoned I-1 with the fourth zoned I-2. Henderson County's Zoning Ordinance defines these existing uses as light industry, which is more consistent with the I-1 district than the I-2 district. Land uses adjacent to these parcels are primarily single-family residential homes. The I-1 district would require a vegetative buffer for any new industrial use that adjoins residentially zoned property to mitigate possible negative impacts of that use. I-1 is recommended to remain on three parcels to the east of US Highway 25 North to account for existing light industrial uses including General Auto automobile service and Highwaymarkings, Inc., road striping company. These two industrial districts do have access to sanitary sewer and water service provided by the City of Hendersonville's wastewater treatment facility and municipal water service.

Proposed I-1 and I-2 industrial zoning districts are generally consistent with the recommendations of the CCP's Future Land Use Map. Conservation areas within the Mountain Home Industrial Park were not accounted for with these recommendations.

### **Commercial**

A community scale commercial node consisting of a C-2 Neighborhood Commercial district is recommended at the intersection of Holbert Road and US Highway 25 North to account for existing uses at this intersection including: Cathy Wilkie Realty, GDS Transfer Station, Veach's Auto Clinic, Freeman Gas, and others. The recommended C-2 district does create some nonconforming uses; however, members of the Planning Board believed that this area, based upon its location and scale of use, was not appropriate for more intense commercial use that would be found in a regional commercial node. The size of this district is limited to the west by an existing residential neighborhood on Holbert Road, and to the east by the floodplain of Mud Creek.

The Future Land Use Map does not recommend this area as a Community Service Center. Planning Board members felt that this was an appropriate location for an additional community scale commercial node based upon existing use and the development potential of the subject parcels. The CCP does

recommend identification of additional Community Service Centers in appropriate locations, through the community planning process.

A community-scale commercial node, consisting of a C-2 core district and a C-2P transitional or buffer district, is recommended for the intersection of Mountain Road and US Highway 25 North in the Mountain Home community. Currently, some commercial and light industrial uses such as Ronnie's Towing and Recovery, Budget Auto Sales, Spratt's Used Bookstore, and Thompson's Landscaping are located within close proximity to this intersection. At the commercial node's core, C-2 allows a variety of commercial uses and even shopping centers and light industry with a conditional use permit. The C-2P district provides a transition from C-2 uses at the intersection to surrounding residential uses in the Mountain Home community. C-2P is a mixed-use district that allows retail businesses and offices to co-exist in the same district alongside residential uses. C-2P does allow a number of commercial and residential uses throughout the area to be continued, but some nonconforming uses would be created, including a few of the more intense commercial and industrial businesses and manufactured housing. Although some uses in the Mountain Home community would be nonconforming if recommended zoning was adopted, those few businesses and residential uses could be maintained, transferred, and replaced given some conditions.

The C-2 and C-2P districts do not have minimum lot size requirements. Because there are a number of older homes and businesses on small lots in the area, the use of these districts minimizes the creation of nonconforming lots based upon lot size. Public input from this area shows that residents of the Mountain Home community advocate for the ability to use their property for residential and commercial purposes. Recommended zoning of C-2 and C-2P in this area allows residents of the community to exercise both of these options.

The intersection of Mountain Road and US Highway 25 North is identified by the Future Land Use Map as a Community Service Center. Commercial and mixed use recommendations of C-2 and C-2P are consistent with the characteristics of a Community Service Center and recommendations of the Future Land Use Map.

### **Office and Institutional**

An O&I district is recommended for the Heritage Hills property which contains a nursing home facility and a residential community, along with a number of parcels along US Highway 25 North between the recommended I-1 and I-2 industrial districts to the south, and the C-2P district to the north. Currently, the land uses in question are mixed use; from low density single-family residential to various types of commercial and institutional uses. Single-family residential uses are allowed by right in the O&I district with commercial and institutional uses allowed with a conditional or special use permit. Existing lot sizes in this area generally conform to the minimum lot standards of 30,000 square feet required by the O&I district, thus creating a minimal number of nonconforming lots. The large parcel north of Industrial Park Drive, on the east side of US Highway 25, is accessed through an existing residential neighborhood (to the west) and has variable topography, making it less suitable for industrial purposes and more appropriate for O&I.

O&I allows nursing home facilities such as Heritage Hills with approval of a special use permit. While most residential districts would permit a nursing home with a Medical, Institutional Care Facility (MICD) special use permit, the standards are more stringent and the application process is more rigorous compared to the special use permit of the O&I district. If the property is rezoned to O&I, the nursing home facility in Heritage Hills would need a special use permit to expand.

The proposal of O&I in this location does conform with land use recommendations from the CCP's Future Land Use Map for a mixture of uses in the Urban Services Area.

### **Residential**

An R-20 district is recommended between Old Asheville Road and I-26. Properties in this area are not affected by the floodplain of Mud Creek and a significant amount of single-family, conventional style homes currently exist. Parcels in this recommended district are generally consistent with the lot size requirements of the R-20 zoning district. Recommending R-20 is intended to promote low-density residential development consistent with existing characteristics of the area and recommendations of the CCP's Future Land Use Map for limited development in conservation areas.

Three R-15 districts are recommended in the central section of the Study Area for eastern areas of Holly Hill Road and April Lane, just south of the Fletcher Academy property; western areas south of Rugby Drive, and southern areas of the Mountain Home community. Southern and eastern proposed R-15 districts were recommended because existing uses are consistent with R-15 standards and the recommended districts are contiguous with existing County R-15 zoning districts. The majority of development in the area consists primarily of single-family conventional style homes. Recommended R-15 in the Mountain Home community does create some nonconforming lots; however, a majority of homes in the western portion of the district do conform to the minimum standards proposed by this recommendation.

The western-most district south of Rugby Drive was created, not only to be consistent with existing residential uses in that area, but also to allow for Shepherd's Memorial Cemetery and its potential future expansion. Current land use in the area of Holly Hill Road and April Lane is consistent with the allowed uses and lot size requirements of the R-15 residential district. This area is also contiguous to an existing R-15 district to the east.

The three recommended R-15 districts do not necessarily change the availability of a large amount of property for future development; rather, they are intended to acknowledge and protect existing uses while providing standards for future development. Sustaining the residential character of these areas and promoting medium-density development was the main focus in the recommendation of these R-15 districts. The Future Land Use Map does recommend higher density residential land uses in the Urban Services Area.

### **Southern Study Area:**

The southern portion of the Study Area shares common boundaries with the City of Hendersonville's Extraterritorial Jurisdiction. As recommended by the CCP, proposed zoning changes in the County's jurisdiction that adjoin municipal boundaries are intended to be compatible with existing use and zoning established by the City of Hendersonville.

### **Industrial**

Existing I-2 industrial zoning is recommended to remain in areas around Bildon, Inc., and to the south on properties currently used for an extraction operation and communication tower. These are considered heavy industrial uses and would need to be located within an I-2 district to conform with zoning and to allow for future expansion.

The recommendation of I-2 in this area is consistent with the CCP's Future Land Use Map. This district does not extend into flood-prone areas of Mud Creek.

**Commercial**

The Planning Board recommended that an existing C-2 Neighborhood Commercial district remain in the southern portion of the Study Area adjoining US Highway 25 North and the City of Hendersonville's ETJ. This recommended C-2 district borders a small portion of a C-3 Highway Business Commercial District in the City of Hendersonville and contains a number of commercial uses. The majority of these uses located within the recommended district are consistent with the requirements of the C-2 zoning district.

Recommendations of C-2 in this area do conform with recommendations of the CCP's Future Land Use Map for a community services center in this location.

**Residential**

The Planning Board recommended that existing residential zoning in the area in and around Grimesdale and Stoney Mountain Estates remain in its present zoning. Currently, the Grimesdale community is zoned R-15 which is consistent with the existing development pattern in that community. A small area around an existing I-1 district, located to the west of the Grimesdale community, is also recommended to remain R-15 due to the existence of numerous multifamily dwelling units. Multifamily units, such as those within this area, are allowed by right in the R-15 residential district. Stoney Mountain Estates is located to the west of US Highway 25 North off Baystone Drive. Present development in this area is consistent with the requirements of its current R-40 district and it is recommended to remain R-40.

R-30 is recommended for properties in the southeastern portion of the Study Area that are contained within, or adjacent to, flood-prone areas. R-30 best fits the existing use of the land in this area as a low-density single-family residential district. This district is intended to promote low-density, low intensity development, creating less impact on sensitive natural areas while preserving existing qualities of the land. RC is not recommended in this area because existing development is more consistent with R-30 standards.

Recommendations of R-30 in this area are not consistent with the industrial recommendations from the Future Land Use Map, but do promote lower intensities of development in areas recommended for conservation. Existing residential development and the presence of flood-prone areas precluded an industrial recommendation in this area.

The recommendation to create a T-20 district in the southeastern-most portion of the Study Area was based upon current use, lot size, and the existence of large amounts of undeveloped property. Land use in the area between Capps Road and Hyder Farm Road consist of an even mixture of single-family conventional and manufactured housing with one manufactured home park. Manufactured home parks are allowed in T-20 districts with a conditional use permit, while manufactured homes are allowed on individual lots by right along with other types of single-family and multifamily dwellings. The intention in creating this district was to establish a large area that is mostly undeveloped, where a mixture of single-family housing types could be placed.

The CCP's Future Land Use Map recommends industrial land uses in this area; however, existing development is more consistent with T-15 standards, and topographic issues may limit the ability to develop the property for industrial purposes.

The Planning Board also recommended that existing zoning in the Old Roper Road neighborhood be changed from R-T to T-15. This recommendation was made based primarily on existing land use, which is the mixture of single-family conventional and manufactured homes on individual lots. The general



consensus among Planning Board members was that the R-T district did not fit with the existing land use, and the purpose of the R-T district was not being fulfilled. The R-T district was “established as a district in which the principal use of the land is for residential, resort, and transient purposes.” When compared to existing land uses, there are no longer “resort” or “transient” uses present; furthermore, the R-T district specifically excludes manufactured homes on individual lots. Manufactured home parks are allowed with a conditional use permit. The consensus was to recommend T-15 based primarily upon existing uses and the ability to create conformity to zoning.

Recommended T-15 is consistent with the recommendations of the CCP’s Future Land Use Map for higher densities of residential development in the Urban Services Area.

### **Rural Conservation**

Two parcels located adjacent to the Brookside Camp Road overpass of I-26 are recommended to be zoned RC. Current uses on both parcels (Double Tee Golf Center and Wolverine Paintball) are located in flood-prone areas and would be nonconforming uses if included in the adjacent R-30 district. Under RC zoning, both operations would be considered commercial outdoor recreation and would be allowed to expand with conditional use permits.

Portions of a number of parcels in the southern section of the Study Area are recommended to be split-zoned I-2 and RC primarily based on existing use, lot size, and the presence of floodplain on a significant portion of these properties. Currently, the City of Hendersonville’s wastewater treatment facility is located in the recommended RC district. The wastewater treatment facility would be a nonconforming use in the RC district; however, City planning staff indicated that the City intends to annex the parcel. An asphalt operation is also located within the recommended RC district. This would be a nonconforming use in this district.

RC proposals in these flood-prone areas are consistent with conservation recommendations of the CCP’s Future Land Use Map.

### **Planning Board Comments**

The Henderson County Planning Board supported the recommendations of the US Hwy. 25 North Zoning Study. As stated in a motion that was approved by the Planning Board on November 22, 2004, Board members felt that recommendations within this Study work to follow the direction and goals as stated in the Henderson County 2020 Comprehensive Plan. The Planning Board requested that the Board of Commissioners and Planning Board review and update the current Zoning Ordinance in the near future. Upon completion of this task, and the adoption of new ordinances and studies, the Planning Board requested the ability to revisit the Study to refine zoning recommendations so they are more consistent with the goals of the Comprehensive Plan.

The Planning Board believes that recommendations of the US Hwy. 25 North Zoning Study do follow policies and goals set forth by the Henderson County 2020 Comprehensive Plan. However, members also believe that recommendations could better implement policies of the CCP if tools recommended by the Comprehensive Plan were currently available. The CCP recommends development of a Land Development Code. This Code will combine existing ordinances into one document and incorporate additional tools necessary for implementation of the CCP. These tools also include: a revised and updated Zoning Ordinance, Flood Damage Prevention Ordinance, Sedimentation and Erosion Control Ordinance, Stormwater Management standards, and Access Management standards. Many of these tools are recommended in the CMR Services Inc, Highway 25 North Corridor Study. The Planning Board requested the ability to revisit the US Highway 25 North Study Area subsequent to the completion of the

Land Development Code to modify recommendations and better implement policies of the Comprehensive Plan.

**Staff Comments**

Henderson County planning staff supports the recommendations of the US Highway 25 North Zoning Study, and thanked all of those involved in the process with special thanks to the Henderson County Planning Board and the Zoning/Land Use Subcommittee members who committed a great deal of time and effort to the completion of this Study.

Planning staff believes that recommendations of the US Hwy. 25 North Zoning Study do follow policies and goals set forth by the Henderson County 2020 Comprehensive Plan. However, staff also believes that recommendations could better implement policies of the CCP if tools recommended by the Comprehensive Plan were currently available. The CCP recommends development of a Land Development Code. This Code will combine existing ordinances into one document and incorporate additional tools necessary for implementation of the CCP. These tools include: a revised and updated Zoning Ordinance, Flood Damage Prevention Ordinance, Sedimentation and Erosion Control Ordinance, Stormwater Management standards, and Access Management standards. Many of these tools are recommended in the CMR Services Inc, Highway 25 North Corridor Study. Staff requests the ability to revisit the US Highway 25 North Study Area subsequent to the completion of the Land Development Code to modify recommendations and better implement policies of the Comprehensive Plan. A more holistic Study should be completed at that time to include recommendations for public sewer and water, schools, recreation areas, transportation, housing, and others.

Policies from the Growth Management Strategy text of the Comprehensive Plan were the primary guides used in this Study. Recommendations for the location of general land uses including commercial, residential, and conservation areas were provided by the Future Land Use Map. The Planning Board has examined both resources in great detail and has made recommendations that balance policies and recommendations of the CCP with existing conditions. Divergence from the Future Land Use Map is the result of parcel level planning, and does not necessarily reflect departure from the Comprehensive Plan. The Future Land Use Map is a dynamic tool that should be revised following the adoption of individual small area plans and the forthcoming Countywide Industrial/Commercial Zoning Study.

**Direction to Staff**

Chairman Moyer asked if the Board was ready to get some public comment on this document.

Mr. Nicholson suggested the Board have a public input process as the first step, allowing staff to conduct an information meeting with concerned residents and answer their questions.

Following discussion, it was the consensus of the Board to set a public hearing date at the January 19<sup>th</sup> Commissioners' meeting.

**Adjourn**

*Commissioner Messer made the motion to adjourn the meeting. All voted in favor and the motion carried.*

Attest:

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Elizabeth W. Corn, Clerk to the Board

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William L. Moyer, Chairman