

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
AUGUST 2, 2007

The Henderson County Board of Commissioners met for a special called meeting at 7:00 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 Chuck McGrady, Commissioner Mark Williams, County Manager Steve Wyatt, Assistant County Manager Selena Coffey, County Attorney Russell Burrell, and Deputy Clerk to the Board Terry Wilson.

Also present were: Research/Budget Analyst Coordinator Amy Brantley, Communications Specialist Pam Brice, Senior Planner Autumn Radcliff, Planning Director Anthony Starr, Planners Matt Card and Matt Cable.

CANE CREEK WATER & SEWER DISTRICT

Commissioner McGrady made the motion that the Board adjourn as the Henderson County Board of Commissioners and convene as the Cane Creek Water & Sewer District. All voted in favor and the motion carried.

Commissioner McGrady made the motion that the Board adjourn as Cane Creek Water & Sewer District and reconvene as the Henderson County Board of Commissioners. All voted in favor and the motion carried.

CALL TO ORDER/WELCOME

Chairman Moyer called the meeting to order and welcomed all in attendance. He stated that the second purpose of their meeting as Henderson County Board of Commissioners was a workshop with respect to the land development code.

LAND DEVELOPMENT CODE

Chairman Moyer stated that an issue had come up with Commissioner Young with respect to rezoning on Highway #191 and he had concerns with respect to reconsideration of a commercial zoning matter off of the 225 connector. He had personally asked Mr. Starr to cover these in the notice so that if the Board discussed these issues they would have the authority to act upon them. He called Planning Director Anthony Starr to the podium.

Chairman Moyer explained that the Board would set up one or more workshops prior to a public hearing, where the public would be able to (again) reflect their comments with respect to the draft and any additional changes the Board had made prior to that time.

Anthony Starr shared a power-point presentation which included the following:

LDC Residential Issue 1 – Transitioning R2 to R2-MH

Recommended solution:

- Replace the R2 designation with R2-MH for areas currently zoned Open Use (OU)

DATE APPROVED _____

This would allow mobile homes anywhere they are currently with exception of a small area.

LDC Residential Issue 2 – Accessory/Temporary Manufactured Homes

Recommended solution:

- Allow manufactured homes as permanent/temporary accessory dwellings with certain restrictions & requirements.

The accessory dwelling must carry 50% gross floor of the principal dwelling.

LDC Residential Issue 3 – Suburban Overlay District

Recommended solution:

Develop an overlay district with the following:

- Minimum lot requirement of 2/3 acre
- Increase front yard setbacks
- Duplexes & triplexes as special uses only

LDC Residential Issue 4 – Proposed R4 Zoning District

Recommended solution:

Create an R4 zoning district:

- Average density 1 unit/5 acres
- Apply to areas in and near Pisgah National Forest, Dupont State Forest, and the Green River Gamelands
- Include surrounding areas with very steep slopes or key water supply watersheds

Commissioner McGrady suggested using draft 10 map from July 2 which basically was the draft that included R4 on all the public lands and amend this by placing R4 as recommended on July 2 and take in the two “in holdings” on the northwest section, one of which is the “lodge” property and the other tract the conservation area for agriculture use.

LDC Residential Issue 5 – Subdivisions Referred by Planning Board

Recommended solution:

- Allow Planning Board to refer any subdivision, for good cause, to the BOC for review and approval.

It was the consensus of the Board to allow the Planning Board to refer any subdivision, at their discretion, to the Board of Commissioners for review and approval.

LDC Residential Issue 6 – Subdivisions Review & Approved by the Board of Commissioners

Recommended solution:

- Require major subdivisions with 500 or more lots/units to be reviewed and approved by the BOC.

It was the consensus of the Board that subdivisions of 300 or more lots/units should be accompanied by conditional zoning requests and be reviewed and approved by the Board of Commissioners.

LDC Residential Issue 7 – Public Water and Sewer Requirements

Recommended solution:

- Subdivisions with 500 or more units may be required to connect to public water if located within 2 miles of an existing public water system and/or connect to public sewer if within 1 mile.

It was the consensus of the Board that subdivisions with 300 or more units may be required to connect to public water if located within 2 miles of an existing public water system and/or public sewer if within 1 mile.

LDC Residential Issue 8 – Off Site Access

Recommended solution:

Table 3.2 Maximum Number of Lots Permitted	
Road Frontage or Existing Off-Site Row at the Narrowest Point	Maximum number of lots permitted
Less than 30 feet	1 lot per acres with a maximum of 25 lots
30 feet or greater	No maximum

Discussion followed with the consensus of the Board to stay with the same thing and no maximum.

LDC Residential Issue 9 – Special Subdivisions

Recommended solution:

- Allow subdividing 5, (1/2) acre lots (or less if permitted by the zoning district) over a 5-year period with certain road requirements

Commissioner McGrady proposed that the Board ban gated subdivisions and grandfather existing gated subdivisions and asked that staff come up with appropriate language to be addressed at a future meeting.

Commissioner Williams suggested the possibility of gated communities being a special use.

It was suggested that staff take another look at Issue 9, and other communities, and come up with appropriate language and how to accomplish this and come back to the Board.

Discussion followed in regards to setting an additional workshop.

Chairman Moyer made the motion that the Board schedule an additional workshop at the August 14 Board meeting at an earlier timeframe. The vote passed 4 to 1 with Commissioner McGrady voting nay.

ADJOURN

Commissioner Messer made the motion to adjourn the meeting at 9:00 p.m. All voted in favor and the motion carried.

Attest:

Terry Wilson, Deputy Clerk to the Board

William L. Moyer, Chairman