

# REQUEST FOR BOARD ACTION

## Henderson County Board of Commissioners

- Meeting Date:** May 5, 2008
- Subject:** LDC Commercial Map Amendment 4, Rezone from R2MH (Residential Two manufactured Housing) to LC (Local Commercial), Chris Lamb, Tyler Nicholson, Greg Lamb, Lynn Lamb, and Bradley Snyder, Property Owners
- Attachments:** LDC Commercial Map Amendment 4  
New Proposed Boundary for Commercial Map Amendment 4

### Summary of Request:

On Thursday, March 27, 2008, the Board of Commissioners held a public hearing on proposed text and map amendments to Chapter 200A, Land Development Code (LDC) and Official Zoning Map. On April 7, 2008, the Board tabled Commercial Map Amendment 4 at the request of one of the property owners in the Subject Area. Due to neighbors concerns and opposition to the rezoning, the property owners of the Subject Area submitted a revised boundary eliminating two of the parcels that encroached into the adjoining subdivision. The applicants requested that the Board reconsider Commercial Map Amendment 4 with the proposed revised boundary. Attached for the Boards review is the original staff report and request for the Subject Area and a map showing the revised boundary as submitted by the applicants. Staff supports the revised boundary.

### Board Action Request:

Action by the Board of Commissioners is needed to either grant or deny the proposed map amendment. If the Board decides to approve the proposed amendment the following motion has been provided.

### Suggested Motion:

I move that the Board find that LDC Commercial Map Amendment 4, as revised, is consistent with the recommendations of the County Comprehensive Plan and,

I further move that the Board approve LDC Commercial Map Amendment 4, as revised, and amend the Official Zoning Map and the Henderson County 2020 Comprehensive Plan's Future Land Use Map to reflect the approved zoning map amendment.

**Request for Commercial Map Amendment 4**

**Request:** R2MH (Residential Two Manufactured Housing) to LC (Local Commercial)  
**Property Owners:** Chris Lamb, Tyler Nicholson, Greg Lamb, Lynn Lamb, and Bradley Snyder

**1. Subject Area Information**

**1.1. PINs, Owners, and Approximate Sizes:**

Owner	PIN	Approximate Size (acres)
Greg Lamb	9589-16-4514	1.50
Chris Lamb	9589-16-7762	2.19
Bradley Snyder	9589-26-1606	0.90
Tyler Nicholson	9589-16-9630	0.45
Larry Lamb	9589-16-5577	0.33
	9589-16-6567	0.34
	9589-16-6462	0.35
Total Acreage		6.06

- 1.2. **Location:** Sugarloaf Road (SR 1734), approximately 2,060 feet (0.39 miles) east of the intersection of Sugarloaf Road (SR 1734) and Howard Gap Road (SR 1006).
- 1.3. **Approximate Frontage:** 765 feet (0.15 miles) along Sugarloaf Road (SR 1734).

**2. Current and Adjacent Zoning**

- 2.1. The Subject Area and adjacent properties are zoned R2MH (See Current Zoning Map, Pg. 15).

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

- 3.1. **Subject Area Uses:** One parcel (PIN: 9589-26-1606) contains a commercial use (Mountainscape Inc.). The remaining parcels contain single-family residential uses.
- 3.2. **Adjacent Area Uses:** Surrounding area lands contain residential and commercial uses or remain undeveloped. Residential uses are located to the north, east, west and south. UAP Distribution Inc is located directly to the north.

**4. Public Water and Sewer**

- 4.1. **Public Water:** On site.
- 4.2. **Public Sewer:** Not on site. Nearest sewer is located 3,045 feet (0.58 miles) northwest of site.

**5. The Henderson County, North Carolina 2020 Comprehensive Plan (CCP)**

- 5.1. The CCP Future Land Use Map identifies the Subject Area as being located in the Urban Services Area (2020 CCP, Pg. 128, Pg. 129 & Appendix 1, Map 24). The CCP states that, “the USA will contain considerable commercial development at a mixture of scales,” and further, “all regional commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community” (2020 CCP, Pg. 129).
- 5.2. The Future Land Use Map does not identify the Subject Area as being in the vicinity of a Community Service Center (2020 CCP, Pg. 134 & Appendix 1, Map 24).

**6. Staff Recommendations**

Staff’s position at this time, under the guidelines of current plans, policies and studies, is it does not support the rezoning of the Subject Area to Local Commercial (LC), based on the following:

- 6.1. **The 2020 CCP:** The text and map of the 2020 CCP identify the Subject Area as being located within the “Urban Services Area” classification. While commercial development is encouraged in the USA no “Community Service Center” is applied in the vicinity of the Subject Area. Further, the CCP indicates that commercial zoning districts should have configurations which are in keeping

with the surrounding community. The configuration of this zoning district should be further evaluated given the surrounding uses.

6.2. **Adjacent Zoning:** The Subject Area is not adjacent to any existing commercial zoning. Although the Subject Area may be suitable for commercial development, Staff notes that reducing the area of the request to only those parcels along and near Sugarloaf Road may be appropriate. Staff further recommends study be undertaken with a separate public hearing and notification to adjacent property owners before amending the official zoning map.

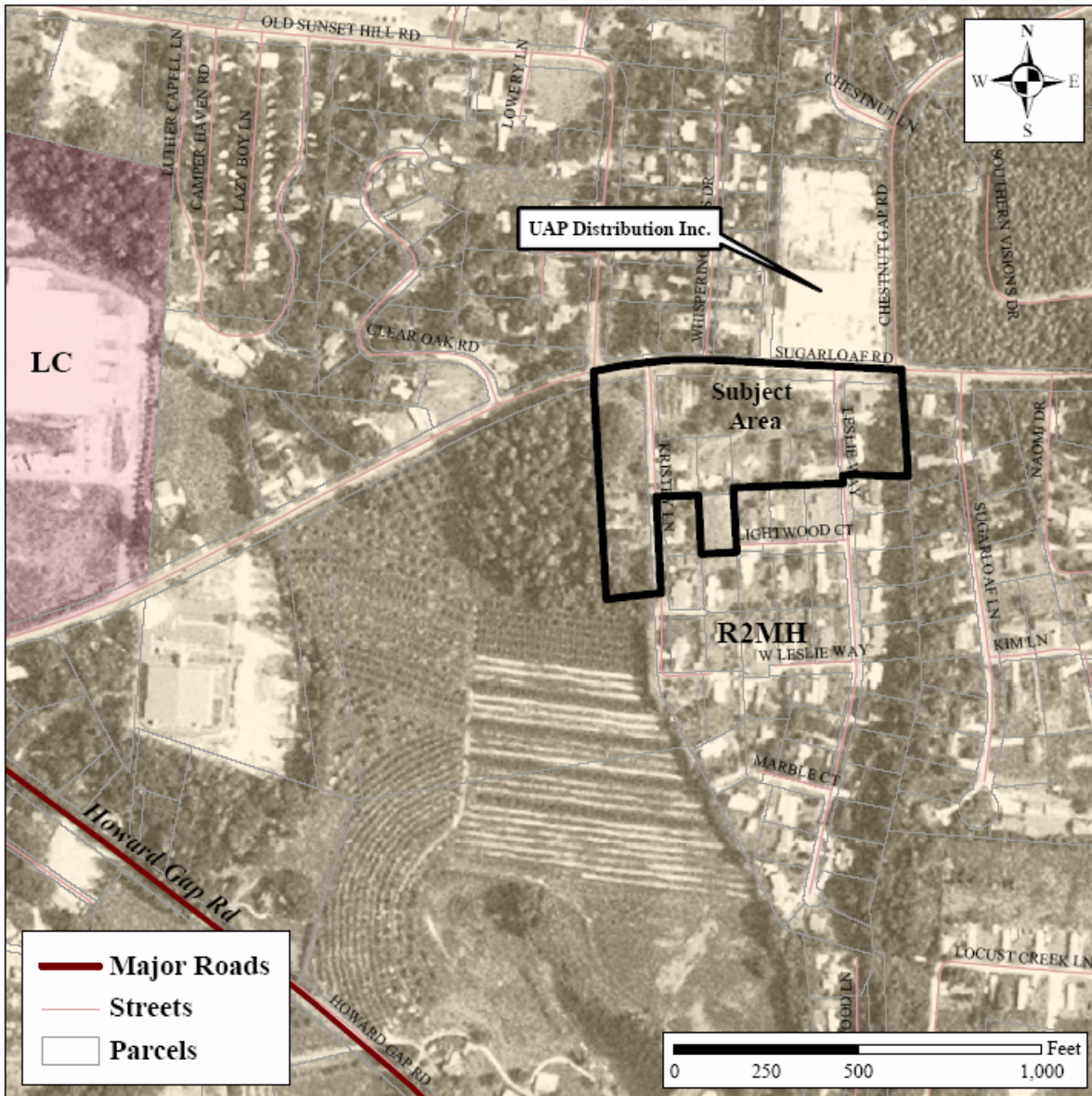
**7. Technical Review Committee (TRC) Recommendations**

7.1. The TRC supports Staff’s position, providing an unfavorable recommendation regarding rezoning the Subject Area from R2MH (Residential Two Manufactured Housing) to LC (Local Commercial). The TRC further recommends that the request be submitted as a separate rezoning application due to the need for further study.

**8. Planning Board Recommendations**

8.1. The Planning Board supports Staff’s position, providing an unfavorable recommendation regarding rezoning the Subject Area from R2MH (Residential Two Manufactured Housing) to LC (Local Commercial) with a 5 to 2 vote.

**Current Zoning Map**



# Request for Commerical Map Amendment 4: Local Commercial along Sugarloaf Road

