

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: November 9, 2010

SUBJECT: Public Hearing - Zoning Map Amendments for the Etowah-Horse Shoe Communities (R-2010-02)

ATTACHMENTS:

1. Staff Memorandum
2. Map 1 - Existing Zoning
3. Map 2 - Proposed Zoning
4. Certification of Public Notice
5. PowerPoint

SUMMARY OF REQUEST:

The Board of Commissioners, by resolution, took action on the Etowah-Horse Shoe (EHS) Communities Plan on September 16, 2009. The Board of Commissioners directed various staff and boards to begin implementation of the plan with some modifications from the original draft. The Planning Board began its discussion and review of the Plan in January of 2010. Attached for the Board's review are the proposed zoning map amendments for the Etowah-Horse Shoe area (See Attachments 1,2 and 3). These proposed amendments are based on the recommendations of the Etowah-Horse Communities Plan, the County Comprehensive Plan and discussion by the Planning Board.

The Technical Review Committee (TRC) and the Planning Board reviewed the proposed map amendments at its meetings on September 7, 2010 and September 16, 2010 and both voted unanimously to recommend that the BOC approve the proposed map amendments. The Commissioners must hold a public hearing prior to taking action on the map amendments. Staff will provide the Board with a brief overview of the proposed zoning map amendments at the meeting (See Attachment 5).

PUBLIC NOTICE:

In accordance with §200A-314(C) and 200A-338(B) of the Henderson County Land Development Code and State Law, notices of the November 9, 2010 public hearing regarding the proposed map amendments for the Etowah-Horse Shoe Communities (R-2010-02), were published in the Hendersonville Times-News on October 28, 2010 and November 4, 2010 (See Attachment 4).

Letters to all the affected property owners and adjacent property owners were mailed on October 19, 2010, and signs advertising the public hearing were posted throughout the Etowah-Horse Shoe Communities on October 28, 2010.

In addition to the required notices, staff held an open house on November 4, 2010 from 4:00-7:00 P.M. to answer questions and receive comment. Interested residents were invited to drop-in during this

informal open house. Staff will provide the Board with an overview of the open house results at the public hearing.

BOARD ACTION REQUESTED:

Staff requests that the Board deny, approve or approve with modifications the proposed zoning map amendments for the Etowah-Horse Shoe Communities. The following motion has been provided if the Board supports the proposed map amendments (R-2010-02).

Suggested Motion:

I move that the Board approve the proposed map amendments, as presented and discussed, for the Etowah and Horse Shoe area based on the recommendations of the Etowah-Horse Shoe Communities Plan and consistency with the County Comprehensive Plan.

MEMORANDUM

TO: Henderson County Board of Commissioners
Steve Wyatt, County Manager
Selena Coffey, Assistant County Manager

FROM: Autumn Radcliff, Senior Planner

DATE: October 28, 2010

SUBJECT: Zoning Map Amendments for the Etowah-Horse Shoe Communities

Background:

The Board of Commissioners (BOC), by resolution, took action on the Etowah-Horse Shoe (EHS) Communities Plan on September 16, 2009. The Board of Commissioners directed various staff and boards to begin implementation of the plan (with some modifications from the original draft). Since January 2010, the Planning Board has been reviewing and discussing the zoning map recommendations for the Etowah-Horse Shoe Communities Plan. On August 18, 2010, the Board of Commissioners received a preview of the proposed amendments.

The Technical Review Committee (TRC) and the Planning Board reviewed the proposed map amendments at its meetings on September 7, 2010 and September 16, 2010 and both voted unanimously to recommend that the BOC approve the proposed map amendments. Before taking action on the proposed map amendments, the Commissioners must hold a public hearing.

Public Notice:

In accordance with the Henderson County Land Development Code and State Law, notices of the November 9, 2010 public hearing regarding the proposed map amendments for the Etowah-Horse Shoe Communities (R-2010-02), were published in the Hendersonville Times-News on October 28, 2010 and November 4, 2010 (See Attachment 4).

Letters to all the affected property owners and adjacent property owners were mailed on October 19, 2010 and signs advertising the public hearing were posted throughout the planning area on October 28, 2010. Staff will provide the Board with an overview of the proposed amendments. A description of the zoning map amendments are listed below.

Etowah/Horse Shoe Zoning Map Amendments:

- **Residential Zoning:** Expand the existing R1 (Residential 1) zoning to include the Etowah Valley Golf course and parcels to its south. Change zoning of properties north of US Hwy 64W and east of the Etowah community to R2 (Residential 2) from current R2R (Residential 2 Rural) and R-40 (Estate Residential) zoning. Change zoning of properties along Folly Rd to R3 (Residential 3) from R-40 (Estate Residential).

- LC (Local Commercial): Change zoning of properties along Morgan Rd and US Hwy 64W (from Avery's Dr to Cummings Rd) to LC (Local Commercial). Change zoning along US Hwy 64W (from S Rugby Rd to All Star Ln) to LC (Local Commercial).
- CC (Community Commercial): Change zoning of properties along Etowah School Rd and Old US Hwy 64 to CC (Community Commercial). Change zoning of properties along and south of US Hwy 64W near the Henderson/Transylvania County line to CC (Community Commercial).

Public Comment:

In addition to the required notices, staff will hold an open house on November 4, 2010 from 4:00-7:00 P.M. to answer questions and receive comment. Interested residents are invited to drop-in during this informal open house. Comments received from residents to the date of this memo have been mostly supportive of the proposed changes. Many of the questions regarded clarification about the proposed map amendments and to explain the differences in the zoning districts and types of uses permitted. The Planning Board received several comments, at the September 16th meeting, from residents that were opposed to the Local Commercial change along Hwy 64W in Horse Shoe and on two areas along Etowah School Rd that are proposed to be Community Commercial. Staff will provide the Board with an overview of the public comments that the Planning Department has received during the public hearing.

County Comprehensive Plan:
























The Henderson County Board of Commissioners adopted the County Comprehensive Plan (CCP or Comprehensive Plan) on July 6, 2004. A principal recommendation of the Comprehensive Plan is the detailed study of individual communities within the County. The order these community planning areas would be studied was determined based on anticipated growth and relation to the Growth Management Strategy (established by the Comprehensive Plan).

The Etowah-Horse Shoe Communities Plan is a community-specific comprehensive plan that outlines future goals related to Land Use and Development, Community Character and Design, Natural and Cultural Resources, Agriculture, Housing, Community Facilities and Public Services, Transportation, and Economic Development as it relates to the CCP.

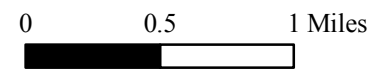
The proposed zoning map amendments are consistent with the Etowah-Horse Shoe Communities Plan and the County Comprehensive Plan.

Etowah Horse Shoe Community

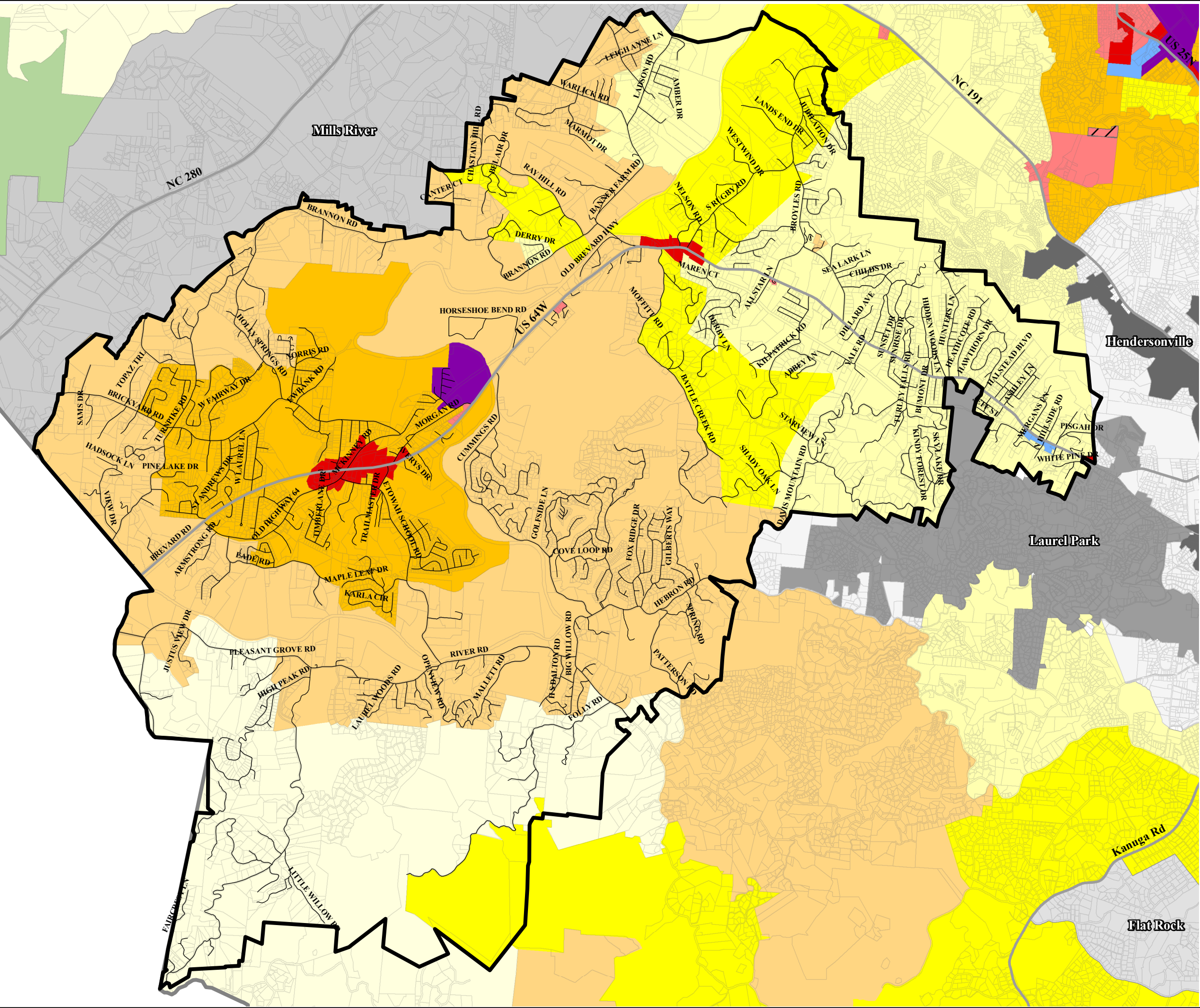
Official Zoning

-  Major Roads
-  Streets
-  Community Boundary
- Zoning Districts**
-  Residential 4
-  Residential 3
-  Residential 2 - Rural
-  Residential 2
-  Residential 1
-  R-40
-  WR
-  SW
-  O&I
-  Local Commercial
-  Local Commercial - CD
-  Community Commercial
-  Regional Commercial
-  Industrial
-  City of Hendersonville
-  Town of Laurel Park
-  Town of Mills River
-  Village of Flat Rock
-  Municipal ETJ
-  Parcels

1 inch = 0.72 miles





This map is prepared from the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map, are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The County and mapping company assume no legal responsibility for the information contained on this map.



Etowah Horse Shoe Community

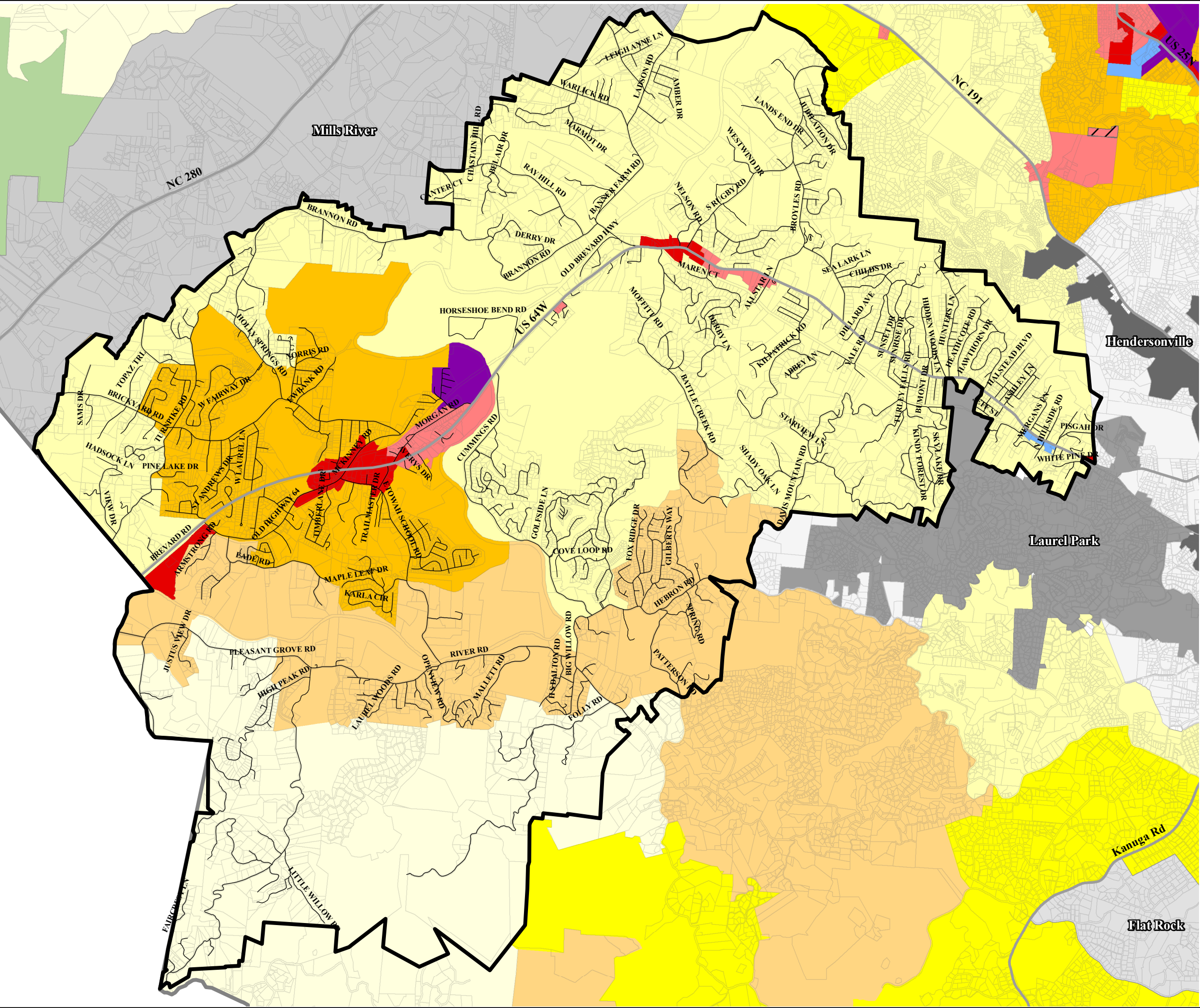
Proposed Zoning

-  Major Roads
-  Streets
-  Community Boundary
- Zoning Districts**
-  Residential 4
-  Residential 3
-  Residential 2 - Rural
-  Residential 2
-  Residential 1
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-  SW
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Certification of Notice of Public Hearing

In accordance with NCGS 153A-323 and 153A-343 the Planning Department certifies notices of the November 9, 2010 hearing regarding the proposed Map Amendments (R-2010-02) for the Etowah-Horse Shoe Communities, were:

1. Submitted to the Hendersonville Times-News on October 25, 2010 to be published on October 28, 2010 and November 4, 2010 by Autumn Radcliff;
2. Sent, via first class mail, to the property owners affected by the proposed map amendments and to owners of properties adjacent to these affected areas on October 19, 2010 by Kathleen Scanlan and Parker Sloan;
3. Posted throughout the Etowah-Horse Shoe Communities on October 28, 2010 by Parker Sloan.

The signatures herein below indicate that such notices were made as indicated herein above:

1. Autumn Radcliff
2. Kathleen Scanlan
3. Parker Sloan

STATE OF North Carolina

COUNTY OF Henderson

I, Catherine Justice, a Notary Public, in and for the above County and State, do hereby certify that Autumn Radcliff, Kathleen Scanlan, Parker Sloan

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 27 day of October, 20 10.

My commission expires:

10/23/15

(SEAL)
Catherine Justice
NOTARY PUBLIC



Etowah Horse-Shoe Community Plan

Zoning Map Amendments



**Board of Commissioners Meeting
November 9, 2010**

Henderson County Planning Department

Background

- The CCP recommended detailed study of individual communities.
- Etowah-Horse Shoe was the first community planning effort.
- An advisory committee was formed on September 4, 2007
 - Responsible for developing & recommending a community-specific comprehensive plan for Etowah-Horse Shoe.
 - Committee met for 14 months, held two public input sessions and a website survey
- Etowah-Horse Shoe Communities Plan outlined future goals related to:
 - Land Use & Development, Community Character & Design, Natural & Cultural Resources, Agriculture, Housing, Economic Development, Community Facilities & Public Services, and Transportation

Henderson County Planning Department

Background Continued

- On September 16, 2009, after holding a public hearing, the BOC, by resolution, directed various staff & boards to begin implementation of the Plan (with modifications from the original draft)
- In January 2010 - Planning Board began reviewing and discussing the Plan recommendations per BOC direction.
- Proposed zoning map amendments would rezone approximately:
 - 7,400 Acres (about 3% of the County)
 - 2,600 property owners received mailed notices
- Planning Board and TRC reviewed the proposed map amendments and recommended that the BOC approve zoning changes.
- BOC must hold a public hearing before taking action on the map amendments.

Henderson County Planning Department

Public Notification

- Former Etowah-Horse Shoe Advisory Committee notified of all meetings.
- Approximately 30 signs were posted through out the planning area prior to the Planning Board's consideration of the proposed zoning changes.
- Website has been updated and been available since the draft plan was completed in November of 2008.
- Approximately 2,600 letters were mailed to affected property owners and adjacent property owners.
- Public notice published in the Times-News on October 28th and November 4th, 2010.

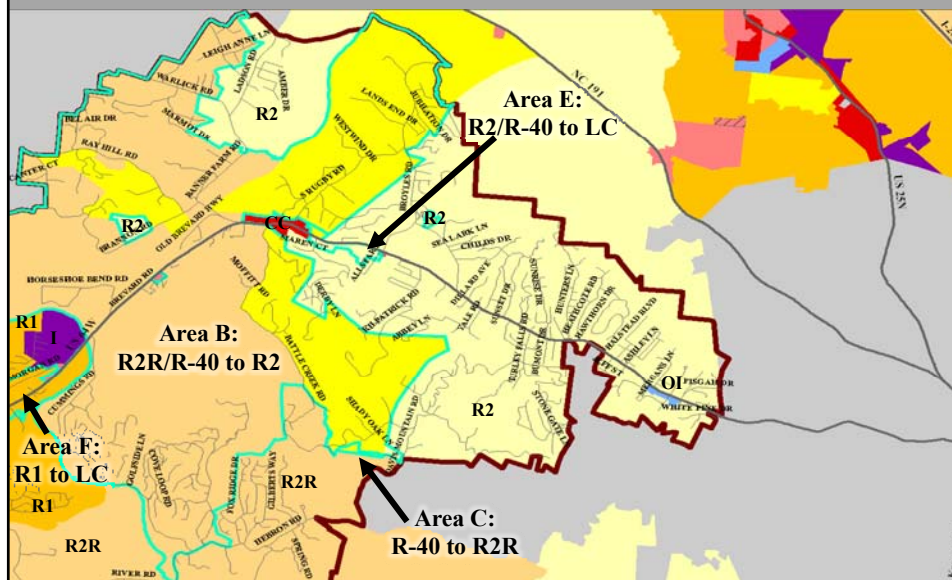
Henderson County Planning Department

Public Notification Continued

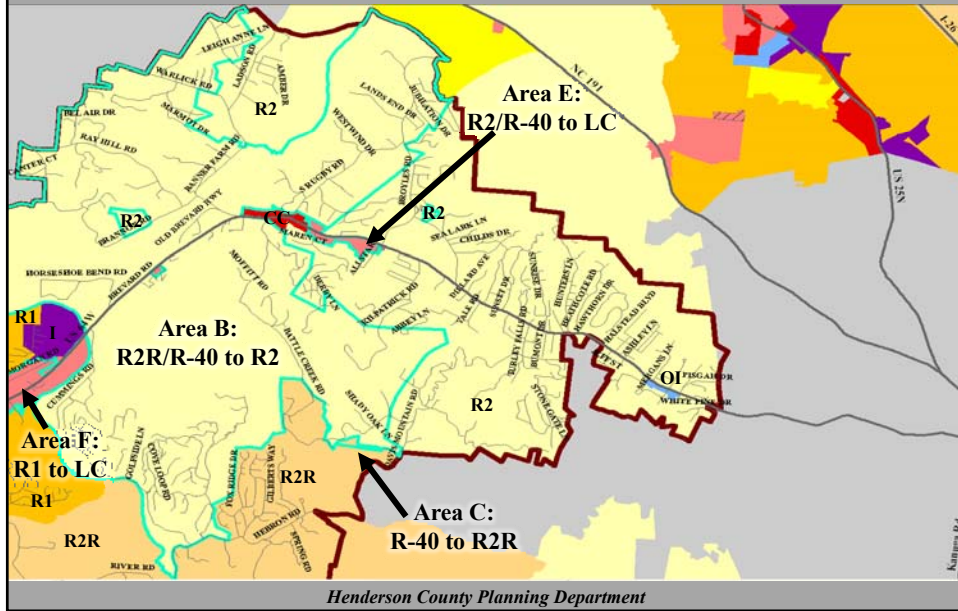
- Planning staff held an open house on the proposed zoning changes on November 4th from 4:00 to 7:00 p.m. in the King Street Meeting Room.
- Two separate press releases issued about the Planning Board meeting, the open house and public hearing.
- Information about the plan including meetings were outlined in the County E-Newsletter.
- Approximately 30 signs were posted again through out the planning area prior to the public hearing.
- Planning staff has been available during office hours to answer phones calls and to meet with concerned residents.

Henderson County Planning Department

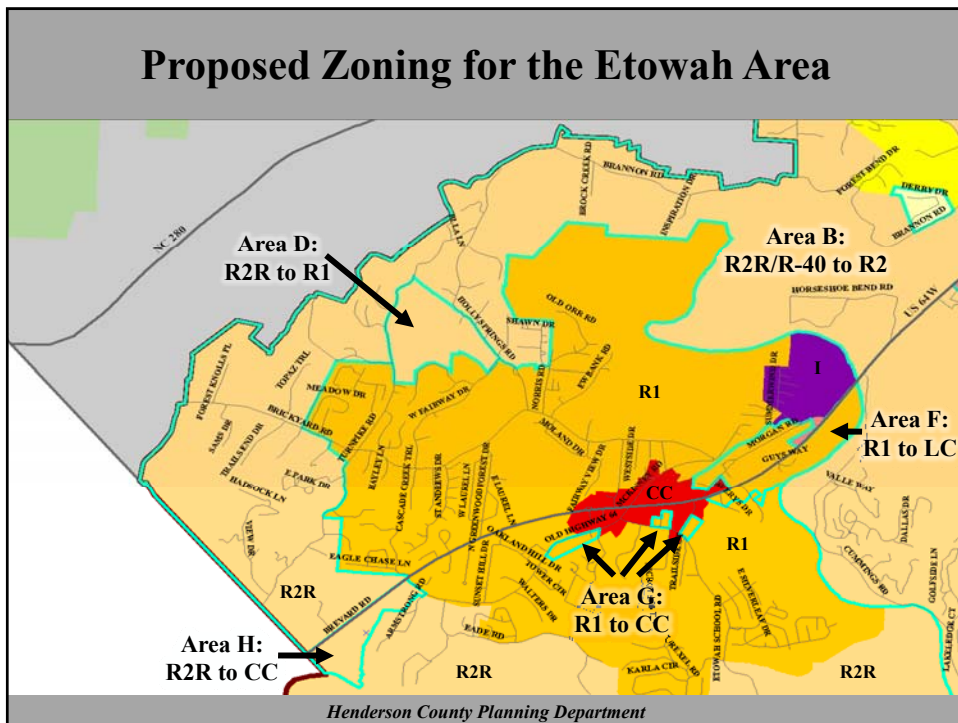
Proposed Zoning for the Horse Shoe Area



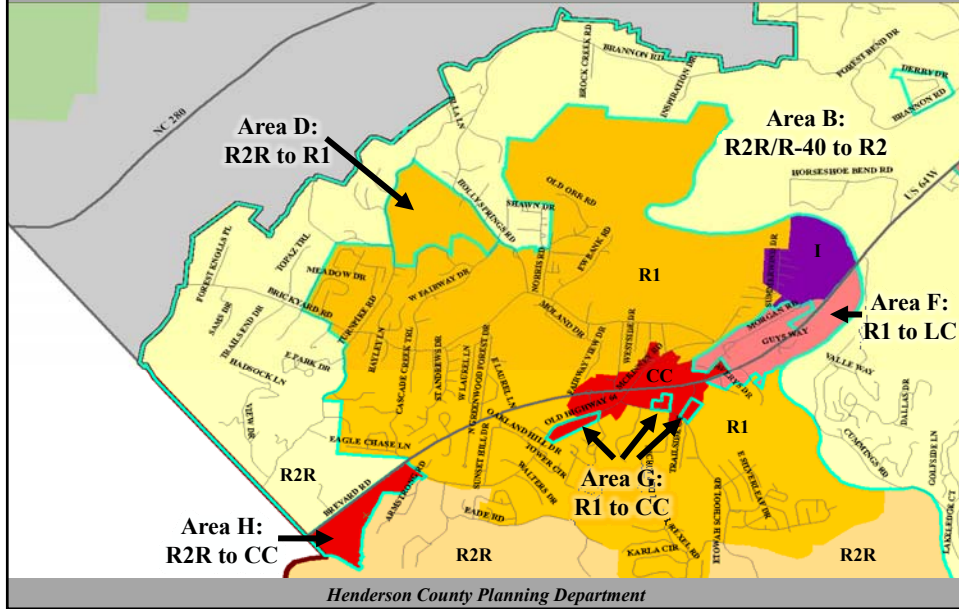
Proposed Zoning for the Horse Shoe Area



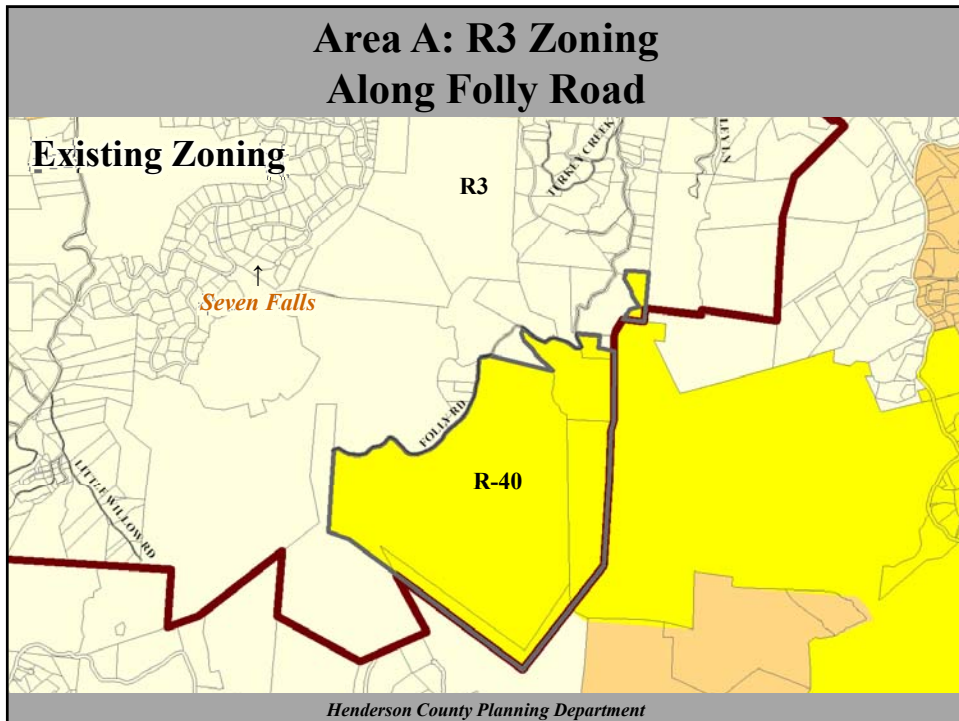
Proposed Zoning for the Etowah Area

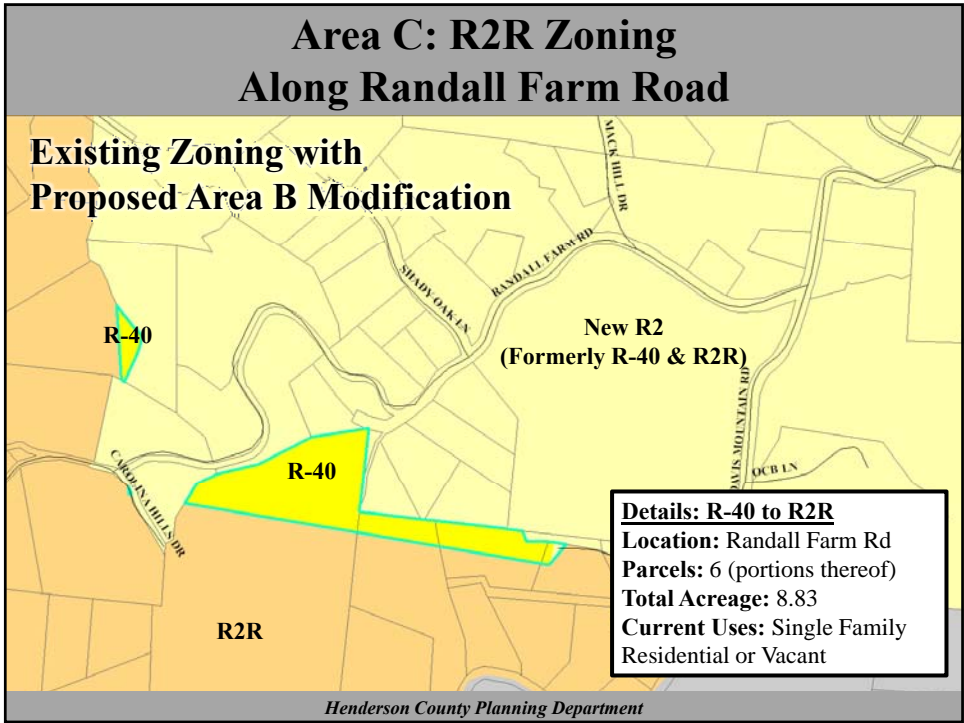
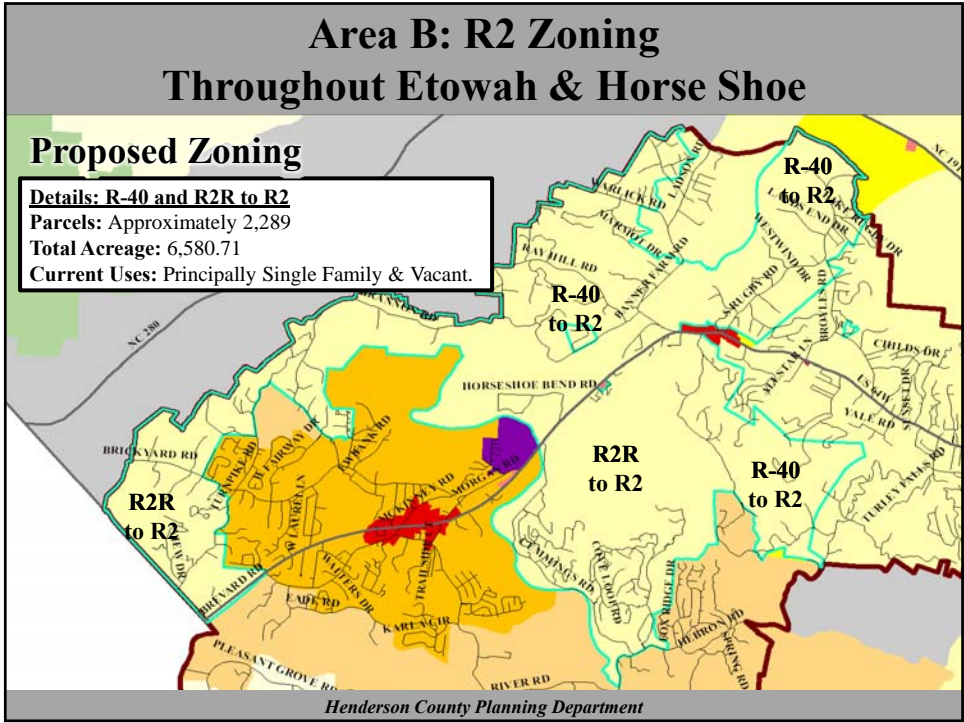


Proposed Zoning for the Etowah Area



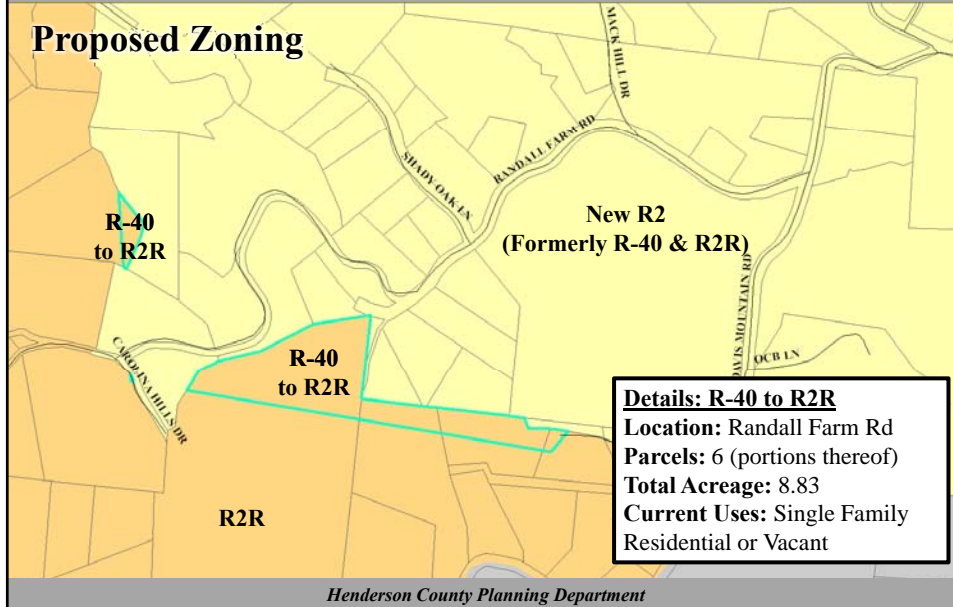
Area A: R3 Zoning Along Folly Road





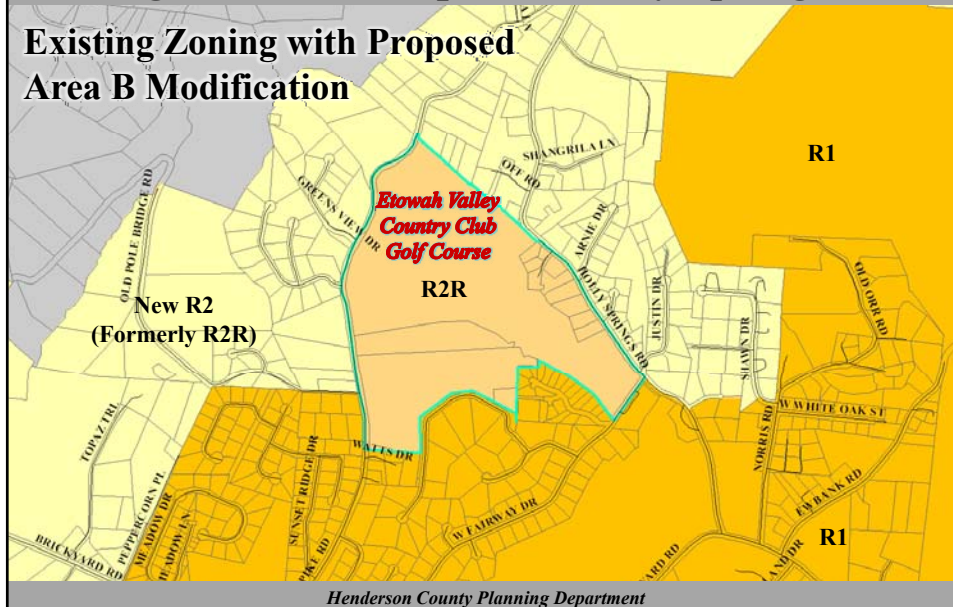
Area C: R2R Zoning Along Randall Farm Road

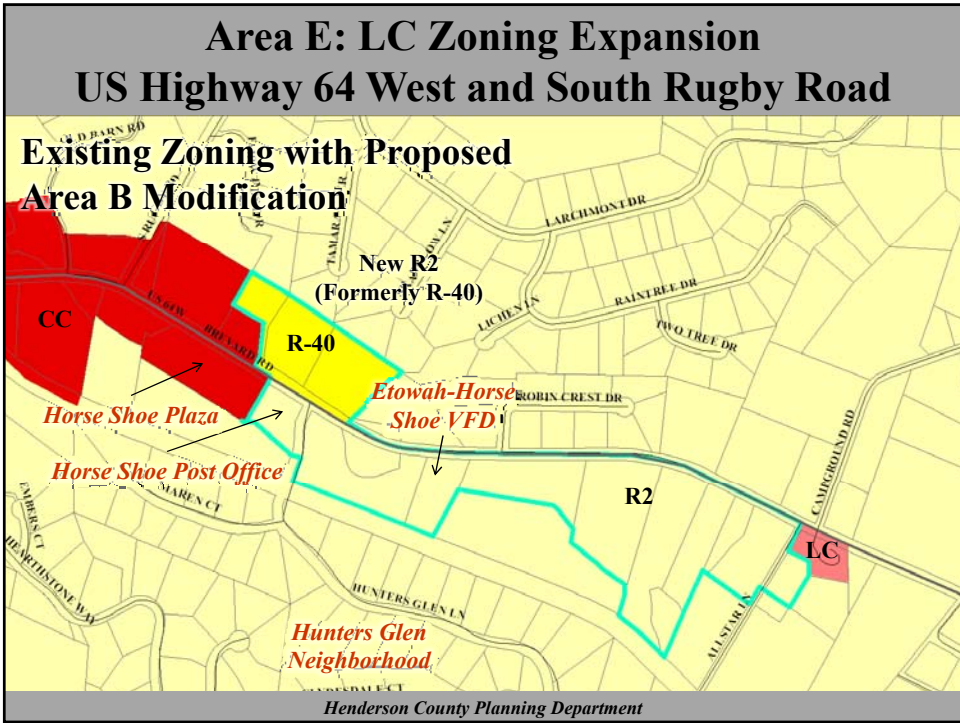
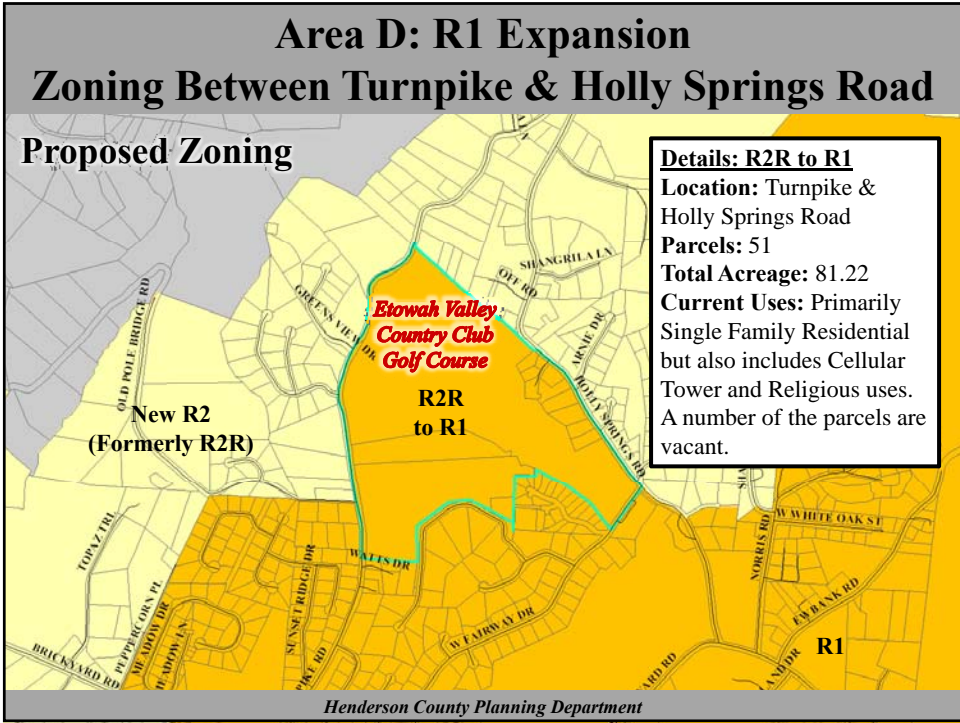
Proposed Zoning



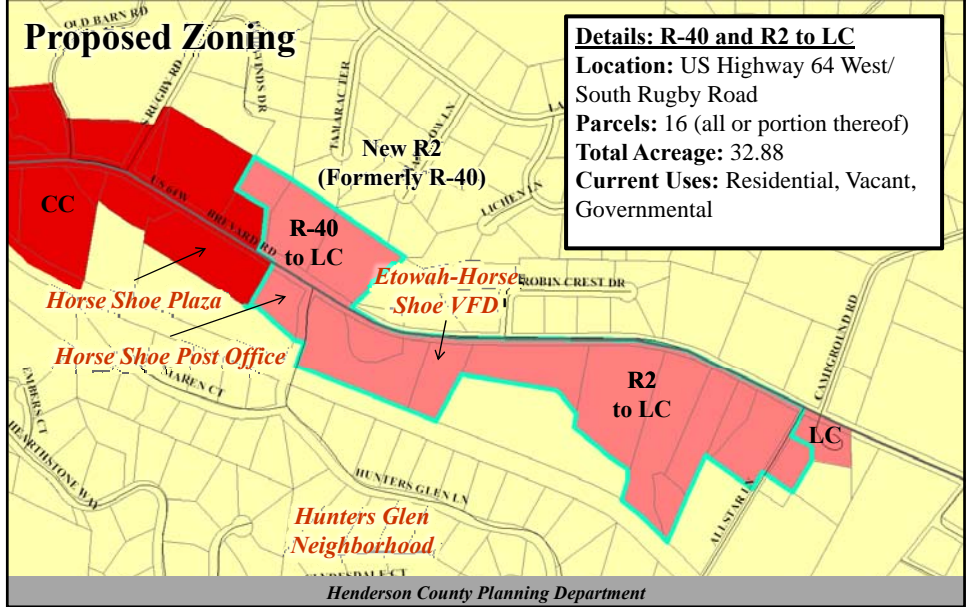
Area D: R1 Expansion Zoning Between Turnpike & Holly Springs Road

Existing Zoning with Proposed Area B Modification

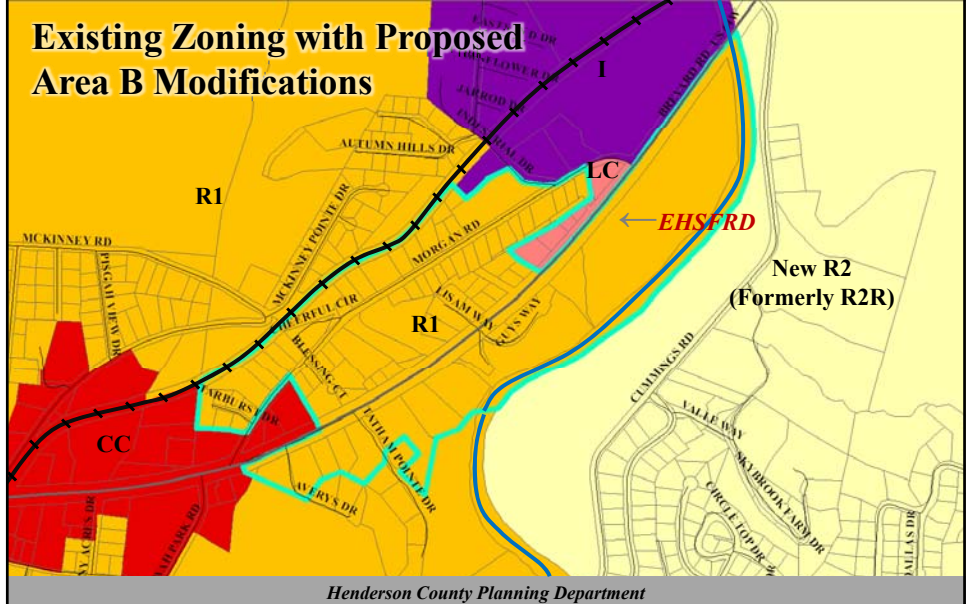




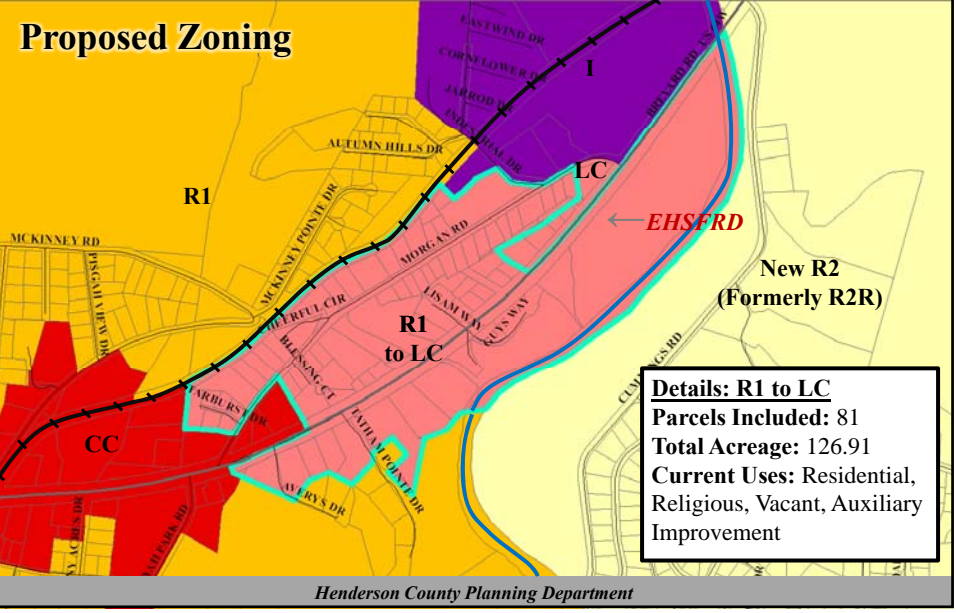
Area E: LC Zoning Expansion US Highway 64 West and South Rugby Road



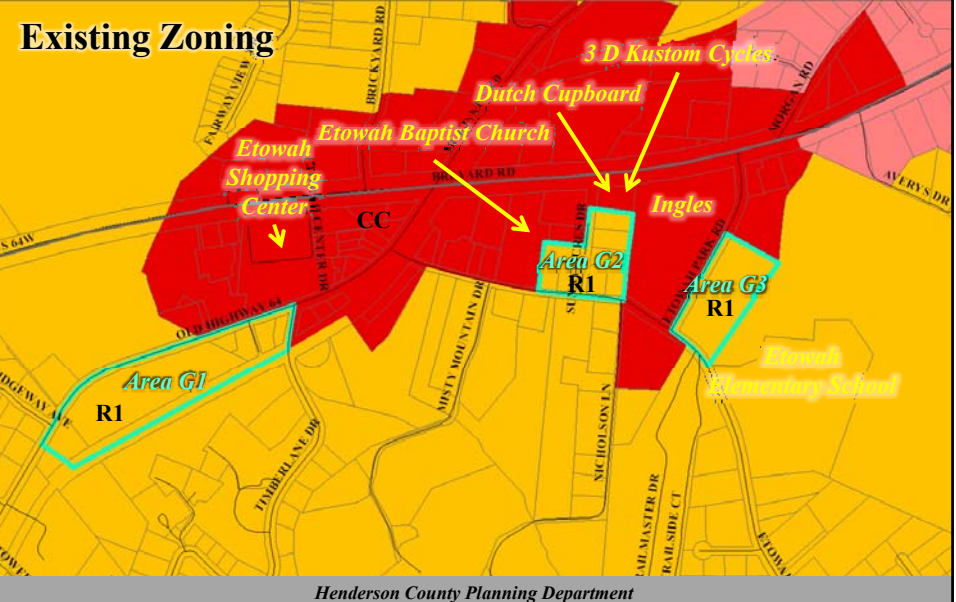
Area F: LC Zoning Expansion LC Zoning Along US Hwy 64 W. & Morgan Rd.



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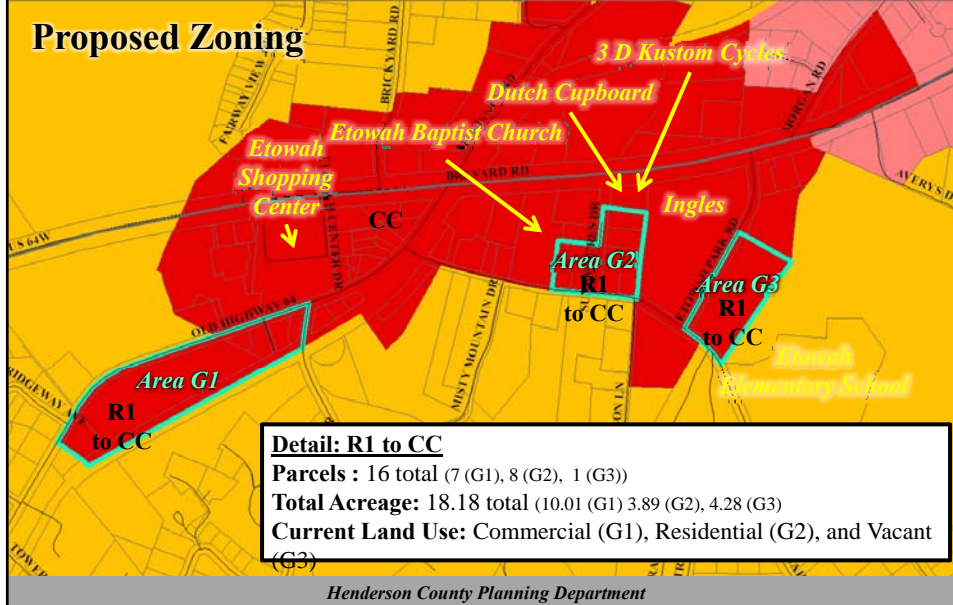


Area G: CC Zoning Expansion Along Etowah School House Rd & Old Hwy 64



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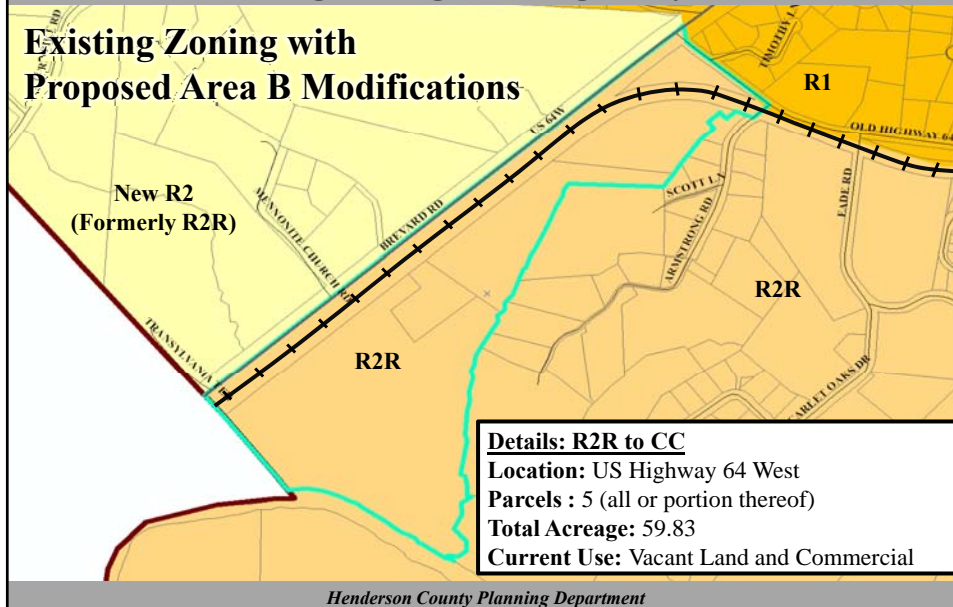
Proposed Zoning



Henderson County Planning Department

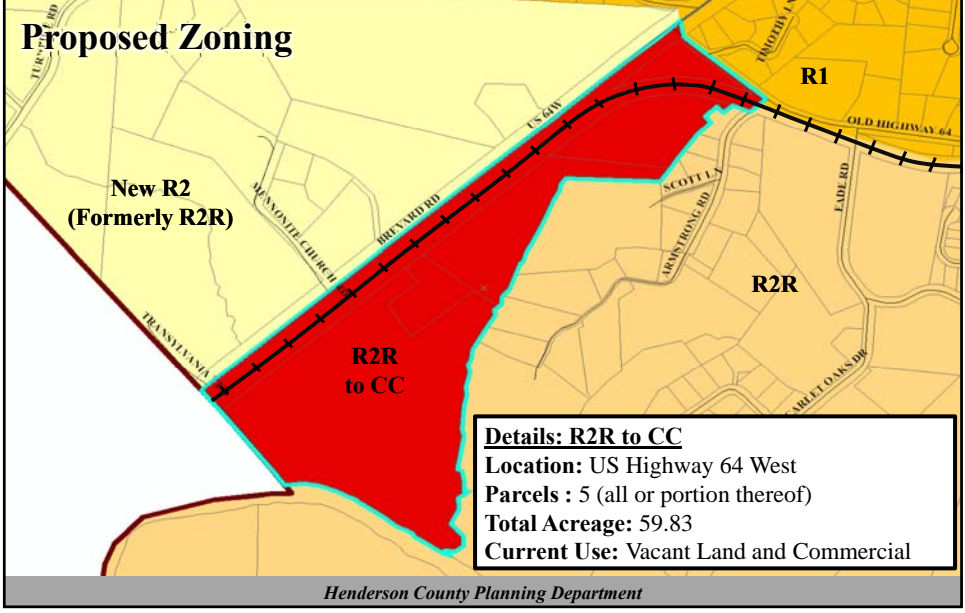
Area H: CC Zoning Expansion CC Zoning Along US Highway 64 West

Existing Zoning with Proposed Area B Modifications

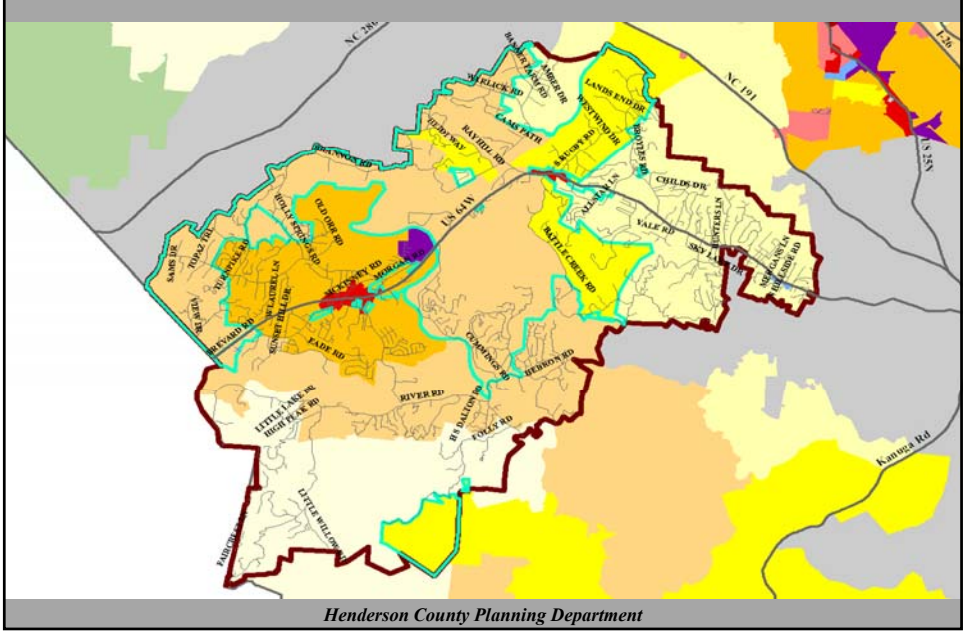


Henderson County Planning Department

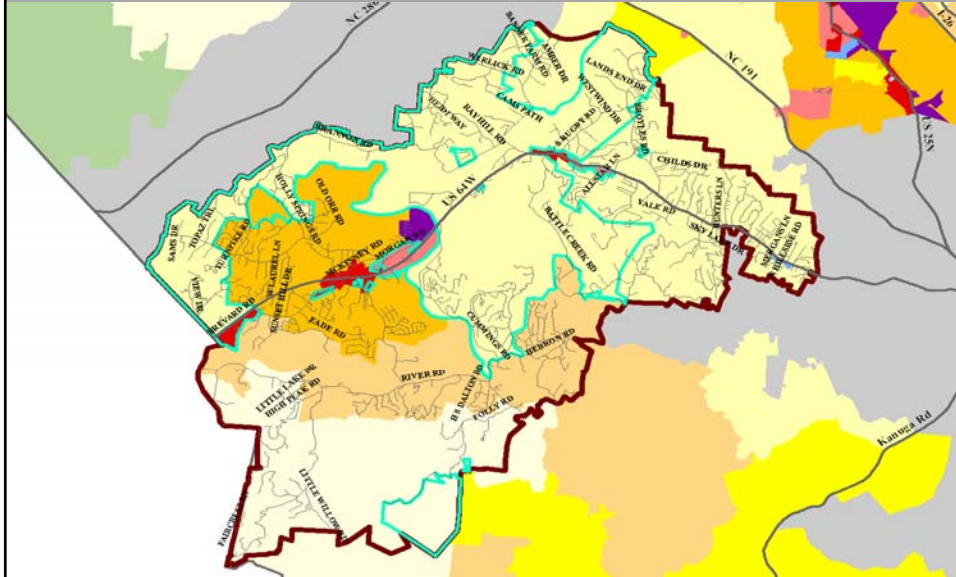
Area H: CC Zoning Expansion CC Zoning Along US Highway 64 West



Proposed Zoning for the Etowah Horse Shoe Area



Proposed Zoning for the Etowah Horse Shoe Area



Henderson County Planning Department

Public Comment



Henderson County Planning Department