

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: June 21, 2012

SUBJECT: Land Development Code Text Amendment (TX-2012-02) Amendments to Reduce Regulation

PRESENTER: Anthony Starr, AICP, Planning Director

ATTACHMENTS: 1. PowerPoint

SUMMARY OF REQUEST:

With the adoption of the Land Development Code (LDC) on September 19, 2007, the Board of Commissioners directed staff to prepare annual updates to the LDC to prevent it from becoming outdated. This annual review of the LDC will prevent the need for a large overhaul of the entire code because it became too outdated. Trends and new issues are always emerging and that requires periodic updates to the LDC text.

Based on input from staff, Planning Board and the public, the Planning Department prepared several text amendments for consideration. All of the changes associated with these amendments reduce regulation while protecting the public interest and safety. The proposed changes will lower development costs, provide greater flexibility with the design of projects, and lower the impact of development on the environment.

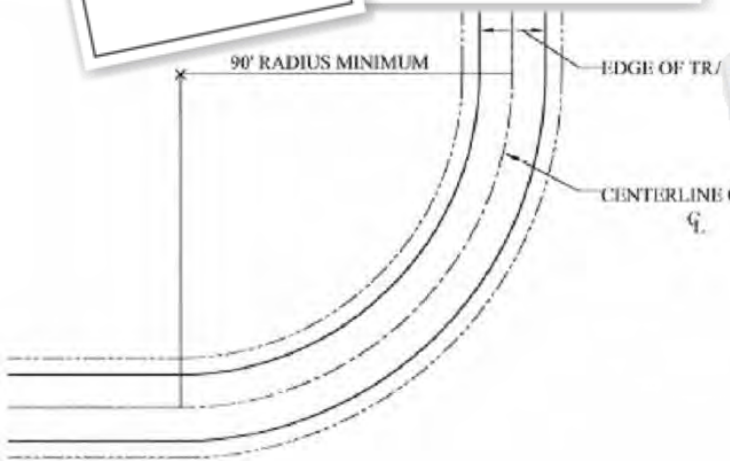
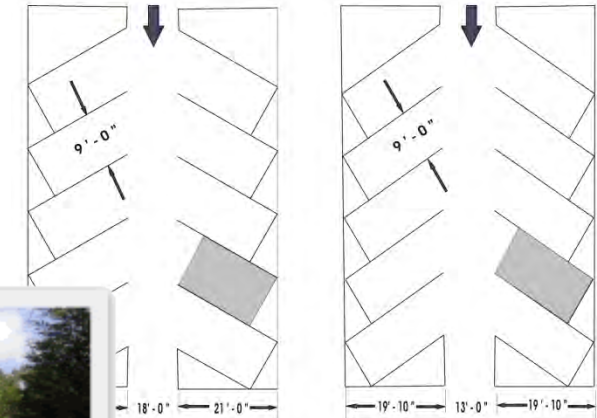
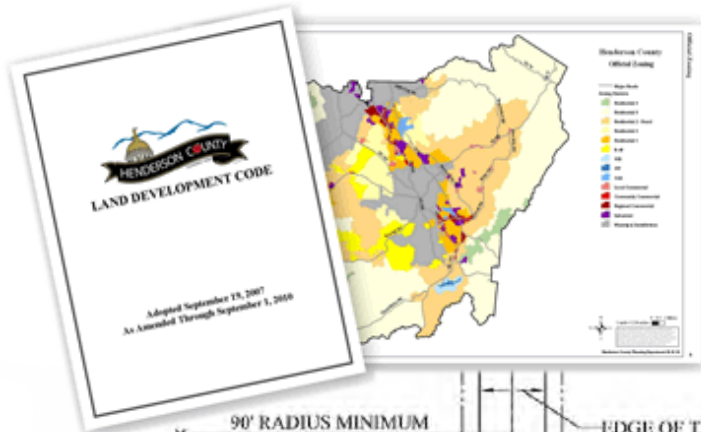
Planning Staff recommends approval of the proposed text amendment and asks the Planning Board to review the information provided. The amendments are consistent with the County's Comprehensive Plan.

If the Planning Board is comfortable with the proposed amendments, staff will return with the formal text changes at the Board's July or August meeting.

Suggested Motion:

None provided. No formal action is requested for this meeting.

Land Development Code Amendments to Reduce Regulation



Henderson County Planning Board

Thursday, June 21st, 2012

Presentation by: Anthony Starr, AICP, Planning Director

Henderson County Planning Department

2012 LDC Text Amendments

- LDC originally adopted September 19, 2007
- The Board of Commissioners directed staff and the Planning Board to propose updates, at least annually, to prevent the LDC from becoming outdated
- Each year, the Planning Staff and Planning Board work together to create possible text amendments
- Based on feedback from the development community, the Planning Board and the public, staff created this initial list of potential text amendments

Eliminate Soil Erosion Sketch Plan

- County currently requires an informal sketch plan of areas when disturbing more than 100 square feet of soil (uncovering soil)
- A formal erosion control plan, completed by a licensed design person, isn't required unless disturbance exceeds 1 acre or if on steeper slopes
- No permit fees are collected with sketch plan permits
- Not required by the State
- Originally implemented with local soil erosion standards and program in 2007
- We average 25-40 permits per month

Multi-Family Minimum Parking

- County currently requires 2 parking spaces for each dwelling unit (single-family or multi-family)
- Propose to reduce multi-family (MF) requirement to 1.5 spaces per dwelling unit (25% decrease)
- This reflects modern parking needs as not all MF households need 2 spaces
- This standard is used by other jurisdictions
- For a 100 unit townhouse or apartment project, this would reduce the minimum parking spaces from 200 to 150
- Requirement for single-family homes remains unchanged

Industrial Minimum Parking

- County currently requires 1 parking space for each 500 square feet of gross floor area of industrial facilities
- Warehouses must provide 1 space for each 4,000 square feet (sqft) of gross floor area
- Propose to change the industrial minimum to 1 space per 4,000 sqft
- Proposed standard reflects changes in employment trends where productivity is higher thereby using fewer employees per sqft
- For a 100,000 sqft industrial building, this would reduce the minimum # of parking spaces from 200 to 25

Accessory Structure Setbacks

- County currently requires 10 foot setback from property lines in all districts
- Propose to reduce accessory structure setback to 5 feet for all districts (residential and non-residential)
- Common standard for many jurisdictions
- Provides better use of property
- Buffers and screening requirements still apply and may require greater setback
- Subdivision covenants unaffected by this change and may still require greater setbacks
- The County can not enforce subdivision covenants

CCP Amendments

- LDC requires public hearing for substantive changes
- State law does not require a public hearing
- Propose to eliminate public hearing requirement & newspaper advertisement
- Would reduce advertising costs
- Board of Commissioner (BOC) approval still required
- Public input allowed at every Planning Board and BOC meeting
- Provides greater flexibility to promote development where a CCP change is needed
- Legal advertisements rarely read by the public

Quasi-judicial hearings

- LDC currently requires a newspaper advertisement for quasi-judicial hearings
- State law does not require a newspaper advertisement
- Propose to eliminate newspaper advertisement requirement and instead post notice at the site
- Would reduce advertising costs
- Quasi-judicial hearing still held and mailed notice given
- Newspaper legal advertisements rarely read by the public
- Newspaper advertisements still required for text amendments & zoning map amendments (rezonings)

Reduce Curve Radii for Roads

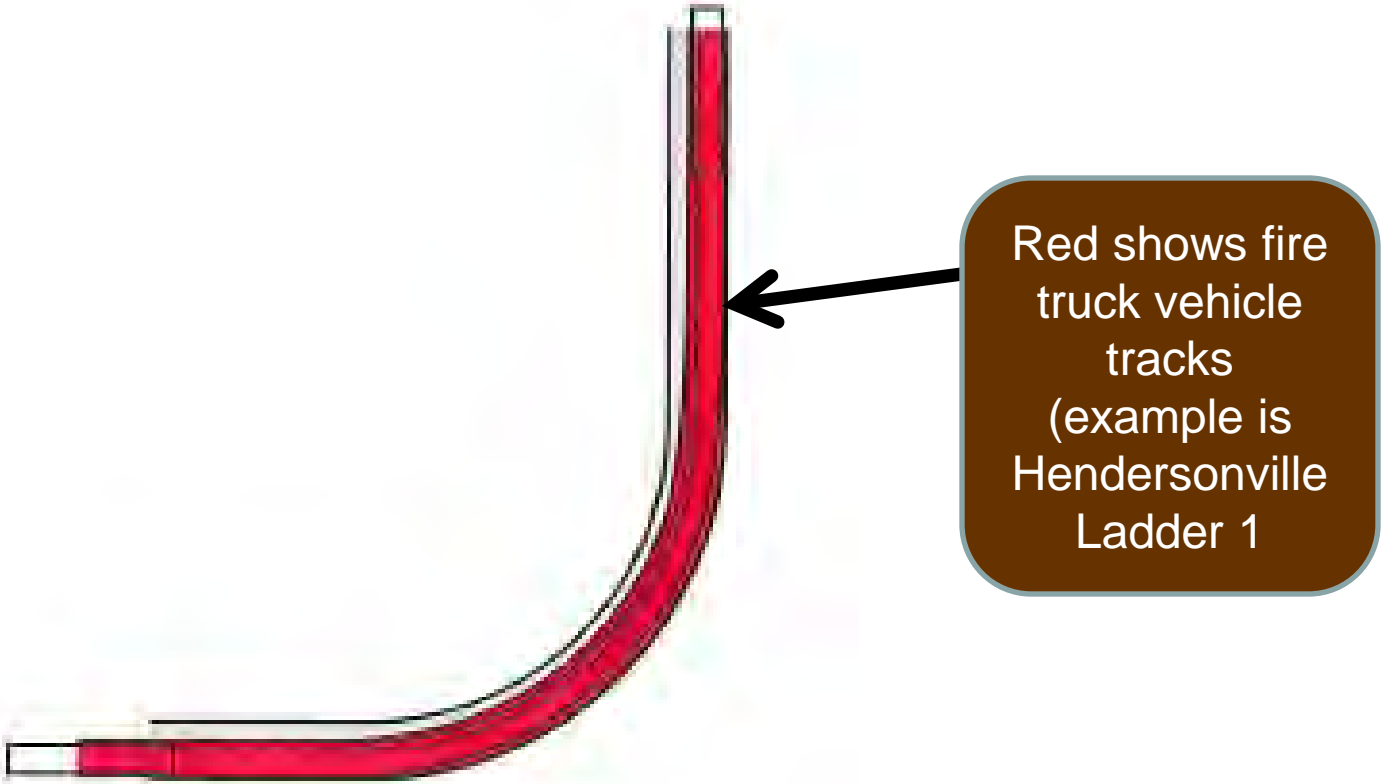
- LDC currently requires 90-110 foot curve radius for new subdivision roads
- Provision is aimed at maintaining a minimum radius for safe vehicle operation
- Current standard better suited for flat land areas
- Propose to reduce the centerline curve radii in exchange for widening road travel lanes in curves
- New provision provides adequate access for the largest emergency vehicles
- Could significantly reduce development costs
- Could reduce amount of land disturbed for new projects

Reduce Curve Radii for Roads

- This idea first suggested by Planning Board and a local engineer
- Planning Staff has been coordinating with Emergency Services Department on this idea
- Here is how it works for a 16 foot (local) road:

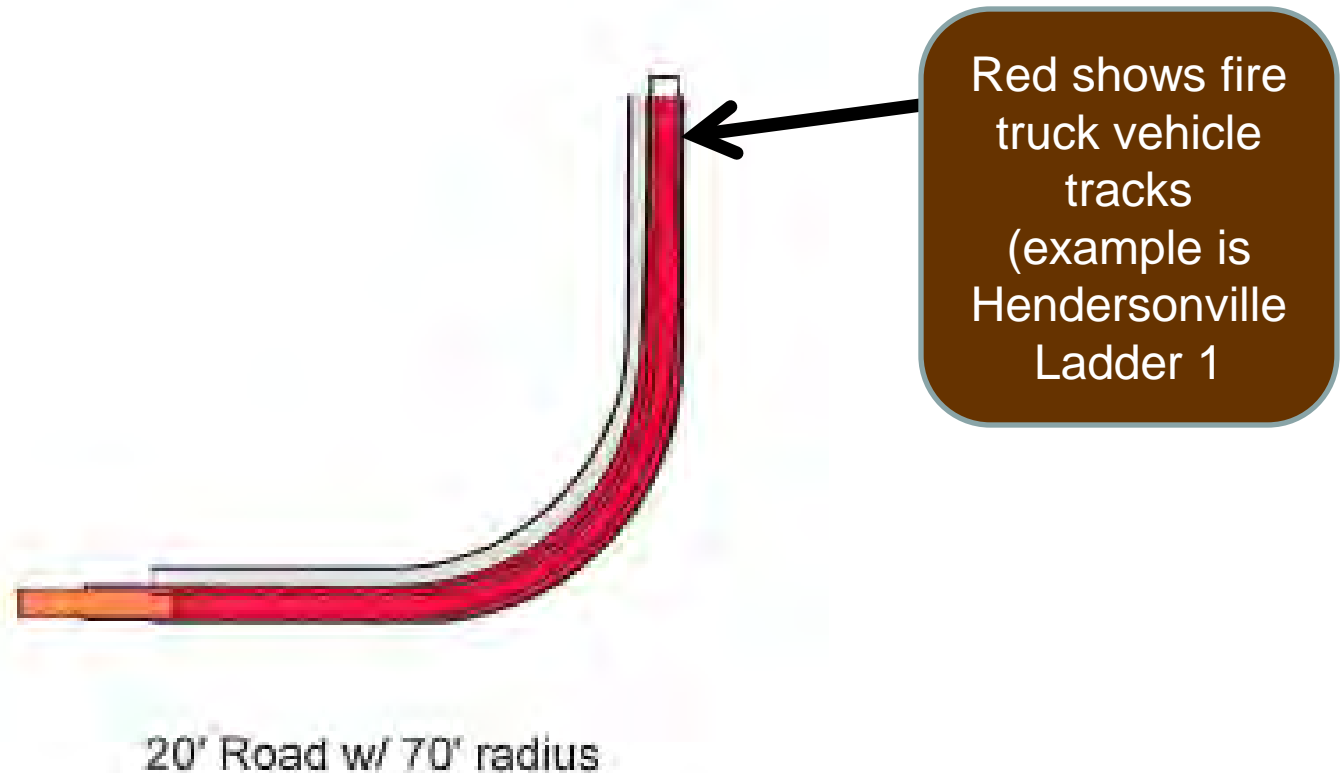
Normal Road Width (feet)	Centerline Curve Radius (feet)	Increase in Road Width	New Road Width in Curve (feet)
16	90+	0	18
16	70-90	25%	20
16	60-70	35%	21.6
16	50-60	45%	23.2
16	40-50	50%	24

Example: Curve Radius 90 feet



16' Road w/ 90' or greater radius

Example: Curve Radius 70 feet



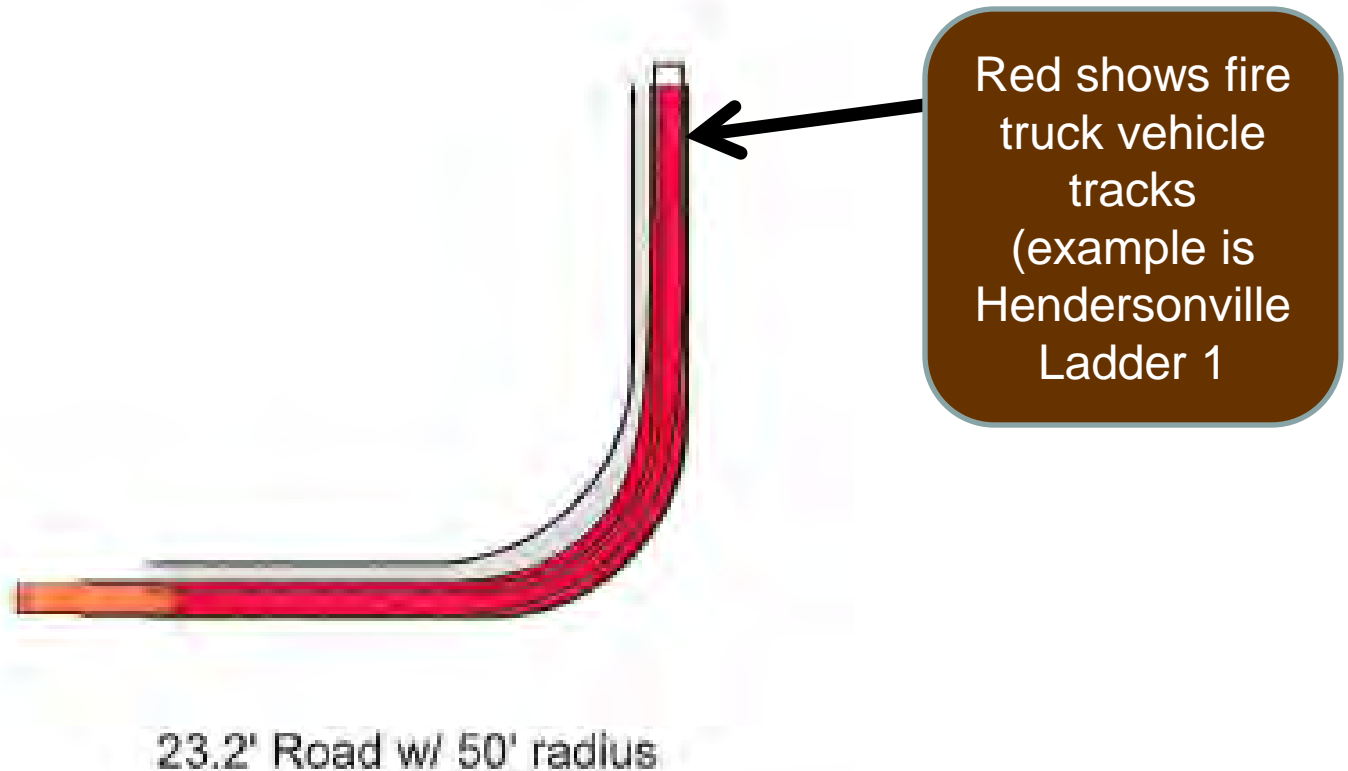
Example: Curve Radius 60 feet



Red shows fire truck vehicle tracks (example is Hendersonville Ladder 1)

21.6' Road w/ 60' radius

Example: Curve Radius 50 feet



Questions?

- Concerns?
- Issues to address?
- Comments?

Next Steps

- Staff returns to Planning Board with formal text amendment (possibly July or August) if Planning Board is comfortable with what has been presented
- Planning Board makes its recommendation
- Board of Commissioners hold the required public hearing
- Board of Commissioners approve, deny or modify the proposed text