

## **REQUEST FOR BOARD ACTION**

### **HENDERSON COUNTY BOARD OF COMMISSIONERS**

**MEETING DATE:** October 20, 2021

**SUBJECT:** Set Public Hearing for Land Development Code (LDC) Text Amendments (TX-2021-08) Special Use Permit Restrictions

**PRESENTER:** Autumn Radcliff, Planning Director

**ATTACHMENTS:** 1. Draft Text Amendment

#### **SUMMARY OF REQUEST:**

Recent special use permit (SUP) applications have identified inconsistencies in the Land Development Code for SUP requirements or limitations in non-residential zoning districts that do not apply to the same use in residential zoning districts.

The Henderson County Planning Board discussed the issue and draft text amendment at its September 16, 2021 and voted unanimously to send forward a favorable recommendation. Attached is the draft text amendment recommended by the Planning Board.

#### **BOARD ACTION REQUESTED:**

State law and the LDC require the Board of Commissioners to hold a public hearing prior to acting on a text amendment. Staff requests the Board set a public hearing for Wednesday, November 17, 2021, at 9:30 a.m.

#### **Suggested Motion:**

*I move that the Board set a public hearing on the proposed Land Development Code Text Amendment (TX-2021-08) for Wednesday, November 17, 2021, at 9:30 a.m.*

## **LDC Text Amendment – TX-2021-08 Special Use Permit Restrictions**

**Recommended changes are highlighted in red.**

**Summary:** Recent special use permit (SUP) applications have identified inconsistencies in the Land Development Code for SUP requirements or limitations in non-residential zoning districts that do not apply to the same use in residential zoning districts. At the direction of the County Attorney, staff has provided some draft amendment language for the Board’s consideration to address these issues.

Add restriction to the zoning district regulations for the residential zoning district (add the text below to the requirements listed in sections 42-27, 42-28, 42-29, 42-30, and 42-31 for the R1, R2, R2R, R3 and R4 zoning districts).

*Special Use Permit Requirements. Any use that requires a special use permit has a maximum impervious surface not to exceed 80% and a maximum floor area limit not to exceed 80,000 square feet (excluding machining and assembly operations, manufacturing and production operations and landscaping materials sales and storage).*