

Commissioner Comments and Concerns with Draft LDC

Issue Raised by Commissioner(s)	Current LDC Draft	Possible Solution
Want to accommodate national sign programs (Ford, McDonald's, etc) in sign standards section.	The current draft provides for a range of sign heights (Sign Section, page 170-172)). A sign may be anywhere from 18 to 75 feet high in commercial and industrial zoning districts. The sign size range from 72 to 200 square feet in commercial and industrial districts.	The current draft accommodates most national sign programs used by major franchises. An increase in height to 100 feet for signs within 500 feet of Interstate 26 should accommodate any anticipated request.
Concerned about the way sign height is measured for signs within 500 feet of Interstate.	The current draft (Sign Section, page 170-172) measures most signs from the ground below the sign (see Sign Height definition on page 329). For signs intended to be visible from I-26 and are within 500 feet of I-26, the height is measured from the top of the sign to the interstate road grade. The Planning Board intended for this provision to allow uniform sign height along I-26.	An alternate way to measure the signs within 500 feet of I-26 is to measure from the top of the sign to the ground below the sign.
A commissioner thought we should consider limiting density based on percent of slope. Standards used by Buncombe County were mentioned as a good example.	The current draft provides no requirements regarding steep slope.	Provisions could be added to the zoning section to limit the overall density for areas containing steep slopes (greater than 15-25%).
A commissioner thinks that the commercial zoning at I-26 and Upward Road should extend to Howard Gap Road.	The current draft LDC zoning map provides commercial zoning to Education Drive.	Commercial zoning could be extended along Upward Road to the intersection with Howard Gap Road.
A commissioner was concerned that the sign heights allowed were too high.	The current maximum sign height in the draft is 18 feet unless within 500 feet of I-26 (see page 171).	The sign height can be easily reduced based on the direction of the Board.
Commissioners concerned that non-conforming uses in the Open Use District would get more favorable treatment.	Section 200A-213 (page 226) allows uses in the current Open Use district to continue operation and expand operations with their new zoning classification.	The Board may apply the same rules as the other districts (Section 200A-212, page 225).
Commissioners commented that the Technical Review Committee should be allowed to approve subdivisions up to 50 lots.	The current draft allows the Technical Review Committee (TRC) to approve subdivisions up to 34 lots (See Section 200A-247A on page 246).	This provision can be easily amended to allow the TRC to approve subdivisions up to 50 lots.
Commissioner commented that the TRC should also review all subdivisions over 50 lots with the Planning Board approving such projects.	The current draft provides only a planning staff review and then Planning Board review for approval (See Section 200A-248 Part D on page 249).	This provision could be modified to establish that the TRC will review all subdivisions over 50 lots and provide a recommendation to the Planning Board.
Commissioner commented that we should ensure compliance with the Federal Fair Housing Act regarding Family Care Homes and Group Homes	The current draft is probably in compliance with the Federal Fair Housing Act. There are some provisions that should be clarified in the definition that occurred as a result of a change in the State Statutes.	Staff has prepared minor changes for the definition and supplemental requirements section. These changes are not substantive but clarify the intentions of language and are compliant with the Federal Fair Housing Act.