

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: September 21, 2011

SUBJECT: Land Development Code (LDC) Text Amendment – Subdivision Regulations

PRESENTER: Anthony W. Starr, AICP, Planning Director

ATTACHMENTS: 1. Proposed text

SUMMARY OF REQUEST:

As part of the 2010 annual review of the LDC, staff proposed several amendments to address concerns with existing road standards for new subdivisions. Among those changes were text modifications to provide greater flexibility for smaller subdivisions (referred to as special subdivisions, aka “family subdivisions”).

Attached are a portion of those amendments that do not increase regulation but provide flexibility and clearer organization to the subdivision regulations.

Since the Board of Commissioners held the required public hearing on November 17, 2010, no additional hearings are required prior to action.

The attached changes provide the following:

- Expands the use of “driveway easements” to serve up to 5 lots in any type of subdivision (currently only allowed for 2 lots in conservation subdivisions) – no road construction is required for the driveway easements when the plat is recorded;
- Requires a certification on the plat acknowledging that a road may or may not have been built to LDC standards when using the driveway easement option;
- Gives credit for existing driveways in special subdivisions when not using the driveway easement option;
- Aligns thresholds for minor vs. special subdivision standards (there was a minor overlap);
- Provides for the use of alleys (currently not permitted); and
- Re-organizes the subdivision section to make it easier to understand without increasing regulations.

Substantive changes are highlighted in yellow (see attached).

BOARD ACTION REQUESTED:

Staff requests the Board of Commissioners consider the proposed text amendments. If the Board is inclined to approve the text amendments, a motion for approval is provided.

Suggested Motion:

I move the Board find that the proposed text amendments are consistent with the County 2020 Comprehensive Plan and I move that that Board approve the text amendments.