

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: Tuesday, June 3, 2008

SUBJECT: Land Development Code New Text Amendments from issues/concerns voiced during public hearing on 3-27-08

STAFF CONTACT: Autumn Radcliff

ATTACHMENTS: 1. Land Development Code New Text Amendments from 3-27-08 Public Hearing

SUMMARY OF REQUEST:

On March 27, 2008, the Board held a public hearing on amendments to the Henderson County 2020 Comprehensive Plan and Chapter 200A, Land Development Code (LDC). During the hearing, several citizens requested that the Board of Commissioners address two new issues pertaining to the Land Development Code. The Board of Commissioners directed staff to consider these requests and develop recommendations on the issues. These issues include:

1. The text of the R-40 (Estate Residential) zoning district was included in the LDC. The old zoning ordinance did not include the provision for conservation subdivisions. At the request of the Board, the text for the R-40 district was left intact. A request was made during the 3-27-08 hearing to allow the conservation subdivision option in the R-40 zoning district.
2. The issue of the existing manufactured homes standards and the exclusion of manufactured homes from certain zoning districts were discussed during the hearing. Several requests were made to allow manufactured homes in the R1 and R2 zoning districts with additional standards and requirements.

Staff has proposed the attached text amendments to the Land Development Code to address the above two issues.

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Staff is requesting that the Technical Review Committee review the attached proposed text amendments and make a recommendation to the Planning Board and Board of Commissioners. The following motion has been provided if the TRC agrees with the proposed text amendments.

Suggested Motion:

I move that the Technical Review Committee recommend that the Board of Commissioners approve the proposed text amendments to the Land Development Code as a result of the issues raised during the March 27, 2008 public hearing.

New Proposed Text Amendments to Chapter 200A, Land Development Code

LDC Text Amendment 1:

Issue: The text of the R-40 (Estate Residential) zoning district was included in the Land Development Code. The old zoning ordinance did not include the provision for conservation subdivisions. At the request of the Board of Commissioners, the text for the R-40 district was left intact. A request was made during the March 27, 2008 public hearing to allow the conservation subdivision option in the R-40 zoning district.

Recommended Solution: Include the conservation subdivision option in the R-40 zoning district subject to the same restrictions and requirements as all other residential zoning districts.

§200A-37. Estate Residential District (R-40)

B. Dimensional Requirements. Each use allowed in this district shall at a minimum conform to the following requirements. In some cases a specific use may be required to meet the Supplemental Requirements as set forth in §200A-63 (Supplemental Requirements). The Conservation Subdivision option shall ~~not~~ be available in the R-40 District. **Minimum lot sizes shall not apply when using the Conservation Subdivision option and an average density of 1 unit per 40,000 square feet shall be applied.**

LDC Text Amendment 2:

Issue: During the March 27, 2008 public hearing, the issue of the existing manufactured home standards and the exclusion of manufactured homes from certain zoning districts were discussed. Several requests were made to allow manufactured homes in the R1 and R2 zoning districts with additional standards and requirements. Currently, manufactured homes (singlewide, multi-section, and mobile homes) are allowed in the R2MH, R3, and R4 zoning districts with standards as outlined in SR 1.5.

Recommended Solution: Change the permitted use table and the zoning district regulations to allow multi-section manufactured homes in the R1, R2, R40, WR and LC zoning districts. In addition, change the supplemental requirements for manufactured homes (SR 1.5) to require masonry underpinning on multi-sectioned units.

USE TYPE	GENERAL USE DISTRICT											
	P=Permitted; S=Special Use Permit											
	R1	R2	R2MH	R3	R4	OI	MU	LC	CC	RC	I	SR
1. RESIDENTIAL USES												
<i>Dwelling, Manufactured Home (multi-section)</i>	P	P	P	P	P			P				1.5
<i>Dwelling, Manufactured Home (singlewide)</i>			P	P	P							1.5
<i>Dwelling, Mobile Home</i>			P	P	P							1.5

§200A-37. Estate Residential District (R-40)

C. Permitted Uses. Within the R-40 District, the following uses are permitted:

- (1) *Dwelling, single-family and manufactured homes (multi-section)*, excluding *manufactured homes (singlewide) and mobile homes* (See SR 1.8 (*Dwelling, Single Family Detached and SR 1.5 Dwelling, Manufactured/Mobile Home (multi-section/singlewide)*))).

§200A-38. Waterfront Residential District (WR)

D. Permitted Uses. Within the WR District, the following uses are permitted:

- (1) *Dwelling, single-family and manufactured homes (multi-section)*, excluding *manufactured homes (singlewide) and mobile homes* (See SR 1.8 (*Dwelling, Single Family Detached and SR 1.5 Dwelling, Manufactured/Mobile Home (multi-section/singlewide)*))).

SR 1.5. Dwelling, Manufactured/Mobile Home (multi-section/singlewide)

(6) All doublewide and multi-sectioned manufactured homes shall:

- f. Have a foundation, underpinning, deck/porch, and permanent steps in accordance with the following. Foundations shall be brick, concrete block or other masonry foundation. Underpinning shall be:
 1. ~~(When placed on rental lots) provided along the entire perimeter of the home, enclosed from the ground to the bottom of the structure;~~
 2. ~~Comprised of a material manufactured for this purpose in accordance with standards set by the state regulations for manufactured/mobile homes.~~ Commonly recognized masonry building materials suitable for use as underpinning shall include ~~but not be limited to~~ the following: brick, concrete block with stucco; or natural or synthetic stone masonry. ~~or~~ Vinyl siding or metal underpinning shall not be allowed. Assemblies, products and materials manufactured expressly for the purpose of underpinning shall be installed in accordance with the manufacturers' specifications; and
 3. Continuous and unpierced except for ventilation as required by the state regulations for manufactured/mobile homes;