

MINUTES
HENDERSON COUNTY PLANNING BOARD
August 18, 2011

The Henderson County Planning Board met on August 18, 2011 for a meeting at 5:30 p.m. in the King Street Meeting Room located at 100 North King Street, Hendersonville, NC. Planning Board members present were Jonathan Parce, Chair; Steve Dozier; Stacy Rhodes; Tommy Laughter; Rick Livingston; Lee Roy Nicholson; and Wayne Garren. Others present included Anthony Starr, Planning Director; Autumn Radcliff, Senior Planner; Matt Cable, Transportation Planner and Kathleen Scanlan, Secretary. Planning Board members Marilyn Gordon and Mike Cooper were absent.

Chairman Parce asked for the approval of the July 21, 2011 minutes. Steve Dozier made the motion to approve the set of minutes and Wayne Garren seconded the motion. All members voted in favor.

Adjustments to the Agenda. Chairman Parce pulled Item 5, *Open Meetings and Public Records Law Review* from the agenda, as Sara Zambon was called out of town due to personal reasons. There were no other adjustments to the agenda.

Rezoning Request – Application # R-2011-03 –Requests the County zone 25.67 acres comprised of all or portions of 22 identified tracts which were formerly within the municipal boundaries or zoning jurisdiction of the City of Hendersonville, Town of Laurel Park, or Town of Saluda. Extension of adjacent residential zoning districts (Residential Two (R2) and Residential Three (R3)) onto these currently unzoned areas to avoid further split zoning and alleviate spot zoning concerns. Presentation by Matt Cable, Transportation Planner. Mr. Cable stated that the request is for the County to zone 25.67 acres comprising of all or portions of 22 identified tracts which were formerly within the municipal boundaries or zoning jurisdiction of the City of Hendersonville, Town of Laurel Park, or Town of Saluda but are currently unzoned. He said the recommended zoning reflects the extension of adjacent residential zoning districts Residential Two (R2) and Residential Three (R3) onto these currently unzoned areas to avoid further split zoning and alleviate spot zoning concerns. As Mr. Cable reviewed Areas A – D, Chairman Parce asked if there were any concerns or questions by the public in the audience.

Ms. Marian Kline, of 254 Orchard Circle was concerned with a portion of Area A, The Town of Laurel Park. She inquired about R2 zoning district and what it means. Mr. Cable explained the R2 district and mentioned that the purpose of this rezoning of 4.34 acres is to extend the existing R2 zoning to these parcels that are unzoned and to avoid split zoning.

After further explanation and discussion of each areas affected in this rezoning request, Tommy Laughter made a motion that the Planning Board recommend approval of rezoning request # R-2011-03 to zone portions of Henderson County to Residential Two (R2) and Residential Three (R3) in currently unzoned areas of the County, consistent with the recommendations of the Henderson County 2020 Comprehensive Plan. Rick Livingston seconded the motion and all members present voted in favor. Mr. Starr stated that a public hearing has been scheduled by the Board of Commissioners for September 6, 2011, at 5:30 p.m. He mentioned that adjoining property owners and property owners will be sent a notice of the date and time for the public hearing.

Legislative Update – Presentation by Anthony Starr, Planning Director. Mr. Starr stated that recently the legislation made some changes to State law affecting local government planning and development issues. He explained and reviewed the Legislative amendments as follows:

1. Change local government authority for minimum housing code inspections
2. Expands the definition of a bona fide farm
3. Restricts the circumstances in which local governments can adopt development moratoria
4. Lengthens the period in which zoning rules can be appealed to the courts
5. Expands the area that sign companies can clear vegetation around billboards

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Form of Planning Board Minutes – Presentation by Anthony Starr, Planning Director. Mr. Starr said the Board of Commissioners recently authorized county boards and committees to use electronic recordings in lieu of written minutes as a measure to limit the workload for staff. He said with recent staff reductions in the Planning Department, staff requests that the Planning Board consider one of two options:

1. Eliminate written minutes for the Planning Board and keep electronic recordings permanently.
The electronic recordings would become the “official minutes” of the Planning Board with this option. A short written and unofficial meeting summary could be created for convenience of the public. A roll call for Planning Board members at the beginning of the meeting would capture the attendance record on the electronic recording. Attendance, motions and votes would also be reflected within the meeting summary. Any person could request a copy of the electronic recording and prepare their transcriptions of the meeting if desired (usually associated with a court case).
2. Use substantially abbreviated minutes for Planning Board meetings. With this option staff would create minutes that contain the key information about development cases (and other agenda items) and reflect motions and votes of the Planning Board. Staff can use the staff report for associated agenda items to summarize the case in the minutes. Other details, such as votes and attendance in the minutes would remain the same as current practices.

After discussion among Planning Board members on what preference to use, they decided not to take action and table the item until next month, when they can discuss it thoroughly with Sarah Zambon before making a decision.

Adjournment. There being no further business, the meeting was adjourned at 6:15 p.m.

Jonathan Parce, Chairman
Henderson County Planning Board

Kathleen Scanlan, Secretary