

HENDERSON COUNTY PLANNING BOARD

MINUTES

November 19, 2009

The Henderson County Planning Board met on November 19, 2009 for their regular 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, Stacy Rhodes, Gary Griffin, Renee Kumor and Rick Livingston. Others present included Anthony Starr, Planning Director; Autumn Radcliff, Senior Planner, Sarah Zambon, Deputy County Attorney, Mark Williams, Commissioner and liaison to the Planning Board and Kathleen Scanlan, Secretary. Tommy Laughter, Steve Dozier, Suprina Stepp and Mike Cooper were absent.

Jonathan Parce called the meeting to order and asked for the approval of the October 15, 2009 meeting minutes. Renee Kumor made a motion to approve the minutes and Gary Griffin seconded the motion. All members voted in favor.

Staff Reports. Mr. Starr updated the members on the community plans. He mentioned that the Edneyville Committee formally recommended the draft that was given out to the Board members. He stated they held their second public input session on October 27, 2009 and then met last week and reviewed the draft plan and made some minor adjustments and made the recommendation. He said he plans to have, at the regular scheduled Planning Board meeting on December 17, 2009, a joint meeting with the Edneyville Committee. The Committee will give their various issues and recommendations from the draft.

Mr. Starr welcomed Rick Livingston as the new Planning Board member.

He informed the Board members that on January 25, 2010, the County will sponsor Randal Arendt, who is a landscape planner, site designer, author, lecturer, and an advocate of conservation planning. The County plans on having several workshops that he will be discussing conservation subdivisions, with a hands-on seminar and a commercial corridor talk. Mr. Starr encouraged the Planning Board members to attend.

Ms. Kumor inquired about the lawsuit between some property owners and a builder for some of the home sites in Carriage Park that the newspaper recently covered with a series of articles. Ms. Kumor wanted to know if changes to the County's development regulations could prevent or minimize these issues. Mr. Starr said that it was unclear to him, at this point, the circumstances involved in this case. From what Mr. Starr read in the newspaper, it appears a disconnect exists between homebuyers and developers/homebuilders regarding expectations and responsibilities for this case. He added that we are a "buyer beware State" in terms of our state laws and the burden of the diligence falls on the buyer for risks or hazards unknown to the seller. Problems the builder and sellers allegedly failed to disclose appear to be an issue in the lawsuit. At the suggestion of Ms. Kumor, Mr. Starr said he intends to touch base with the engineer involved with the case to determine what might have been done differently. Mr. Starr also said the General Assembly considered last year artificial slope construction legislation and that legislation, if passed, may address these types of issues.

Etowah/Horse Shoe Plan Schedule. Mr. Starr stated that the Board of Commissioners took action on the plan with specifics, which was attached in the agenda packet. He said this direction from the Board charges the Planning Board and Staff with implementing various recommendations of the Plan. He said the Board gave specific directions on several issues that need to be addressed as a broader, County-wide policy, if determined that it is warranted at some point and that was specifically pertaining to steep slopes, environmental assessments for subdivisions and affordable housing requirements for large developments and light pollutions. He added to go through the land use related items that the Planning Board is responsible for. He stated that Staff has laid out a tentative

schedule, depending on how long it will take us to go through the different areas. The tentative schedule being as follows dealing with the Etowah-Horse Shoe Plan:

January -	Recommended zoning map changes for non-residential zoning
February –	Recommended zoning map changes for Residential
March and April -	Discuss the open space recommendations, including an open space plan and the requirements for major subdivisions.
May -	Review Access Management standards for key routes, (i.e., US 64 West and Brickyard Road); possibly the Transportation Advisory Committee might take over this discussion.
June –	to be determined
July and August –	Discussion on design requirements recommended in plan.
September –	Pull together all the text that would be required to implement those various pieces that have been reviewed and discussed
October –	Formal process for an amendment to the zoning map for Etowah-Horse Shoe and the text in the Land Development Code

He stated that after this timeline process, it would then allow the Commissioners to take it up in the later part of the year for their consideration and action. He said at that time, they would need to have a formal public hearing for the zoning map and the text changes to the Land Development Code. Ms. Kumor asked whether the community committees (i.e.; Etowah-Horse; Edneyville; or Dana) expect any level of advisement or consultation during the review process by the Planning Board and Planning Staff's review. Mr. Starr said that their participation would only be on an informal basis, because their charge ended with the plan being created, so technically that committee no longer would exist.

Planning Board Training. Mr. Starr referred to the book that was distributed to the Planning Board members entitled *The Citizen's Guide to Planning – Fourth Edition*. Mr. Starr felt that the Planning Board could chose a topic of interest from the book that could be a useful guide for new and veteran Planning Board members. He suggested that we could incorporate these topics and use them as a discussion item each month, when time permits on our agenda.

Ms. Kumor asked when the Planning Department is scheduled to move to their new location on Spartanburg Highway. Mr. Starr said that at present, the County does not have any architectural plans, but there are plans to get it bid on in the spring of 2010. Stacy Rhodes questioned the reasoning behind moving the Planning Department away from the Land Records Office and other related offices in the Courthouse. He added that he feels the County was initially trying to centralize services. Mr. Williams said that the Commissioners discussed this thoroughly and felt that this would best utilize the space and location of the Tax Assessor's Office, if they moved where Planning is now and Planning, Zoning, and Permit offices could utilize the space at the old health department building, as it has been vacant for sometime and would be located nearer to the environmental health offices. Mr. Rhodes also suggested that for convenience, it would be an asset to have the County deeds and plats on line. Mr. Starr stated that the Tax Assessor's Office works with the Register of Deeds office at present in scanning some of the plats. He added that the equipment is in place, it's just the case of dedicating the labor to do the job. Mr. Mark Williams stated that the Commissioners in January plan on having a workshop to study and discuss capital improvement projects, and this could be a good time to discuss this issue.

Other Business – Schedule of 2010 Planning Board Meetings. Mr. Parce mentioned that all Board members received their 2010 schedule of Planning Board meetings in their packet.

Mr. Parce personally welcomed, along with other board members, Rick Livingston, as the newest member of the Planning Board.

Mr. Starr reminded Board members that their will be a special called meeting regarding stormwater regulations on December 3, 2009 at 6 p.m. He said because there will be a rezoning application and

the Edneyville Draft Plan to review at the December 17, 2009 meeting, it was determined that the Planning Board would hold a special called meeting to discuss this item only. Mr. Starr mentioned that Staff will provide an overview presentation of the stormwater regulations and the Board can discuss this issue and possibly make a recommendation, either at this meeting or at your regular called meeting on December 17, 2009.

Adjournment There being no further business, the meeting was adjourned at 6:00 p.m. All members voted in favor.

Jonathan Parce, Chairman
Henderson County Planning Board

Kathleen Scanlan, Secretary