

**HENDERSON COUNTY PLANNING BOARD
SPECIAL CALLED
MEETING SUMMARY
November 14, 2024, at 5:30 PM**

Planning Board Members Present:

Jim Miller, Acting Chair
Robert Griffin
Trey Ford
Linda Bradley
Bruce Hatfield
Jared Ownbey
Bill Lapsley, BOC Liaison

Planning Board Members Not Present:

Jason Davis
Hunter Marks, Chair
Rick Livingston, Vice Chair

Staff Present:

Autumn Radcliff, Planning Director
Matt Champion, Zoning Administrator
Liz Hanson, Planner I
Russ Burrell, County Attorney

Meeting called to order: Ms. Autumn Radcliff called the meeting to order at 5:35. She stated that since the Chair and Vice Chair are absent, the Board needed to appoint an acting Chair for the meeting. Mr. Robert Griffin made a motion to appoint Mr. Jim Miller as the acting Chair. Mr. Bruce Hatfield seconded the motion. All voted in favor.

Roll Call: Roll call was taken.

Informal Public Comment: The Board heard from two members of the public and received some handouts. Comments were related to the need for a specific use to address drug rehab and halfway houses, and concern with allowing commercial parking on the Ecuta Trail.

Adjustment of Agenda: No adjustments were made.

September 19, 2024, Meeting Summary: No change to the meeting summary was noted.

Conditional Rezoning #R-2024-05-C, Hoopers Creek Ms. Liz Hanson stated Rezoning Application #R-2024-01-C was initiated on August 30, 2024, and requests that the County conditionally rezone approximately 9.85 acres of land from Residential Two Rural (R2R) to a Conditional District (CD-2024-02). The project contains all of PIN 9673-21-1888 and a portion of PIN 9673-22-2365 that has direct access to Hoopers Creek Rd (SR1553). Kenneth Rhodes is the current property owner. The applicant is Hoopers Creek Land, LLC.

The applicant is proposing to develop a two-family attached residential development consisting of 38-units within 19 total structures. As a part of this project, the applicant requests the parcel to be rezoned to a Conditional Zoning District (CD-2024-02). Conditional rezonings allows for the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses. As required by the LDC, a neighborhood compatibility meeting was held on Friday, November 8, 2024, in the King Street Meeting Room.

The Board was provided a presentation by the developer and applicant who answered questions from the Board members.

The Board heard from five members of the public in opposition to the conditional rezoning request. Concerns included staying with the current density of 2 units per acer, traffic, impervious surfaces runoff and future flooding, and rural area.

After some discussion by the Planning Board, Mr. Jared Ownbey made a motion to send the Board of Commissioners a favorable recommendation on the rezoning request with the following condition considerations.

- Replace the T-turnaround at the end of the main road with a Cul-de-sac
- Consider similar HOA requirements as the adjacent developments for the Cove and Reserve at Livingston Farms

Mr. Trey Ford seconded the motion. The motion passed 5-1 with Mr. Bruce Hatfield voting in opposition.

LDC Text Amendment #TX-2024-03, Helene Recovery – Temporary Housing and Temporary Debris Storage and Reduction Sites (TDSR’s):

Ms. Autumn Radcliff stated that due to ongoing recovery efforts from Hurricane Helene, the LDC needs to be amended to allow for temporary uses to address temporary housing due to Helene and Temporary Debris Storage and Reduction sites (TDSRs) as part of Henderson County’s recovery. The amendment would allow for Henderson County to permit these uses in all zoning districts as part of the Federal Disaster Declaration for a temporary period. The temporary use would be allowed for 18 months from the declaration with the possibility of two, 1-year extensions. The amendment would add these uses to the Table of Permitted and Special Use’s as a temporary use along with the Supplemental Requirements (SR’s).

After some discussion, Ms. Linda Bradley made a motion to send the Board of Commissioners a favorable recommendation on the text amendment and consistency with the 2045 Comprehensive Plan. Mr. Robert Griffin seconded the motion. All voted in favor.

LDC Text Amendment #TX-2024-04, Tobacco and Hemp Retail:

Ms. Autumn Radcliff stated that the Board of Commissioners have previously discussed concerns with the location of tobacco and hemp retail stores near schools. It has been expressed that a reasonable separation of these types of retail and services from schools should be implemented. The proposed text amendment would add a definition for tobacco and hemp retail establishments and require a separation from schools and a separation between these retail establishments.

Ms. Linda Bradley made a motion to send the Board of Commissioners a favorable recommendation on the text amendment and consistency with the 2045 Comprehensive Plan. Mr. Bruce Hatfield seconded the motion. All voted in favor.

Ecusta Trail Overlay and LDC Text Amendment Discussion: Ms. Radcliff stated that the Board of Commissioners had requested that the Planning Board and Rail Trail Advisory Committee (RTAC) consider if there should be an overlay district for certain uses related to the Ecusta Trail and if commercial parking, along with any other items, should be allowed. Ms. Radcliff stated that the RTAC discussed the item at its November meeting and the Chairman asked staff to provide a map for the next meeting showing where parking has been identified by Watermark and by staff through the trail partners program so that the RTAC could evaluate the need for commercial parking. The RTAC is considering other uses that should be identified and will continue its discussion to the December meeting. Ms. Radcliff stated that the trail

construction was delayed due the Helene and will not be completed until early summer, so the Board has time to discuss the amendment and to receive a recommendation from the RTAC.

Staff Updates: Ms. Autumn Radcliff stated that staff have been working on Helene related recovery since the hurricane. She provided an overview of what all staff had been tasked with, including working closely with the inspections department on structural assessments for FEMA. She stated that staff will be working on this through December and is limited on normal department duties for now. Commissioner Lapsley thanked both Planning staff and all county employees for all their work through the hurricane including emergency services.

Adjournment: The meeting was adjourned at 7:20 pm with no further business.