

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: January 8, 2013

SUBJECT: Land Development Code Text Amendment (TX-2013-01) Temporary Use Frequency for Religious Services

PRESENTER: Autumn Radcliff, Interim Planning Director

ATTACHMENTS: 1. Draft Text Amendment

SUMMARY OF REQUEST:

The Planning Department received a request on behalf of several local pastors' to amend the Land Development Code to extend the length of time religious services may operate under a temporary use permit. Currently, religious services frequency can operate up to eight (8) days. After speaking with the applicant, Staff reviewed other local ordinances and several of those have extended the length of time religious services, under a temporary use permit, may operate to allow for uses such as revivals, bible camps and emergency shelters during natural disasters.

The proposed text amendment allows religious services, under a temporary use permit, to operate for up to twelve (12) weeks and will cover the length of time required for religious services to hold events that were once limited by the previous time limitations (See Attachment 1, Draft Text Amendment).

Planning Staff recommends approval of the proposed text amendment and ask the TRC to review the information provided. The amendment is consistent with the County's Comprehensive Plan.

Staff requests that the TRC recommend approval to the Board of Commissioners.

Suggested Motion:

I move that the TRC find the attached text amendment to the LDC is consistent with the County Comprehensive Plan and recommend approval of the attached LDC text amendment to the Board of Commissioners.

2013 LDC Draft Text Amendments to Increase Temporary Use Frequency for Religious Services

LDC Text Amendment: Temporary Use Frequency for Religious Services.

Issue: The LDC standards limits the length of time that temporary use events may operate. Under the current LDC for temporary uses, religious services may not operate longer than eight (8) days per permit. The Planning Department received several requests from local pastors' to amend the LDC. Religious services being limited to eight (8) days of operation does not allow for church revivals, bible camps, and emergency shelters during natural disasters.

The proposed text amendment allows for religious services, under a temporary use permit, to operate for up to twelve (12) weeks. This amendment would allow events that were once limited by the previous time limitations. Church revivals and bible camps can last for up to nine (9) weeks. The local pastors and Planning Department staff agreed that twelve (12) weeks would cover the amount of time required for religious services events. The remaining temporary uses would still operate under the set specific time frame that is detailed in the LDC. All other requirements listed in SR 11.2 would still apply to all temporary uses.

Recommendation: Amend the temporary use frequency for religious services to operate for up to twelve (12) weeks when permitted.

Amend applicable sections as indicated below.

SR 11.2. Circuses, Carnivals, Fairs, Religious Services (or similar types of events)

- (1) Duration and Frequency. Not more than two (2) temporary events shall be held in a 12 month period.
 - a. Temporary circuses, fairs, ~~religious services~~ and similar types of events may be operated for no longer than eight (8) days.
 - b. Carnivals may be operated for no longer than 10 days.
 - c. Religious services may operate for up to ~~eight (8) days~~ **twelve (12) weeks.**
- (2) Hours of Operation. Where a circus, carnival, fair, religious service or similar types of events and being held in a *residential zoning district* or within 500 feet of a *residential zoning district*, the hours of operation shall be limited to between 7:00 a.m. and 11:00 p.m.
- (3) Application. The application shall depict the locations of pedestrian circulation areas and equipment storage areas.
- (4) Separation Requirements. The *use* shall not be placed within 50 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Solid Waste Collection System Requirements. Arrangements shall be made for suitable garbage disposal and site clean-up.