

## REQUEST FOR BOARD ACTION

### HENDERSON COUNTY BOARD OF COMMISSIONERS

**Meeting Date:** June 2, 2008

**Subject:** Public Hearing for Rezoning R-2008-03

**Attachments:**

1. Staff Report
2. Aerial Photo Map
3. Residential Two with Manufactured Housing (R2MH) District Text
4. Industrial (I) District Text
5. Comparison Table of Permitted Uses
6. Excerpt of Planning Board Minutes
7. Photos of Subject Area
8. Certification of Notice Requirements
9. Powerpoint Presentation

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#### **SUMMARY OF REQUEST:**

Rezoning Application #R-2008-03, which was submitted on February 28, 2008, requests that the County rezone approximately 19.15 acres of a 26.53 acre tract from Residential Two with Manufactured Housing (R2MH) zoning district to an Industrial (I) zoning district. The Subject Area is one parcel (PIN 9588-24-4381) owned by Robert O. Camenzind, trustee Enno F. Camenzind Trust. On April 1, 2008, the Henderson County Technical Review Committee voted unanimously to send forward a favorable recommendation.

The Henderson County Planning Board considered rezoning application #R-2008-03 at its regularly scheduled meeting on April 17, 2008. During that meeting, the Board voted 6 to 0 to send the Board of Commissioners a favorable recommendation for rezoning application #R-2008-03 to rezone the Subject Area from an existing R2MH zoning district to an Industrial zoning district.

#### **PUBLIC NOTICE:**

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with Section 200A-314 of the Henderson County Land Development Code and State Law, notices of the June 2, 2008, public hearing regarding rezoning application #R-2008-03 were published in the Hendersonville Times-News on May 14, 2008 and May 21, 2008. The Planning Department sent notices of the hearing via first class mail to the owners of properties adjacent to the Subject Area and the applicant on May 14, 2008 and posted signs advertising the hearing on the Subject Area on May 14, 2008 (see Attachment 10 for Certification of Notice Requirements).

#### **BOARD ACTION REQUESTED:**

Staff's position at this time, under the guidelines of current plans, policies and studies, is it supports the rezoning of the subject area from R2MH (Residential Two with Manufactured

Housing) to I (Industrial) which is consistent with the recommendations of the Henderson County 2020 Comprehensive Plan.

**Suggested Motion:**

I move that the Board approve rezoning application #R-2008-03 to rezone the Subject Area from an R2MH (Residential Two with Manufactured Housing) zoning district to a I (Industrial) zoning district as recommended by the Staff Report. I further move that rezoning application #R-2008-03 is consistent with the recommendations of the Henderson County 2020 Comprehensive Plan.

**Henderson County Planning Department Staff Report**

**Rezoning Application #R-2008-03 (R2MH to Industrial)**

**Robert Camenzind, Owner**

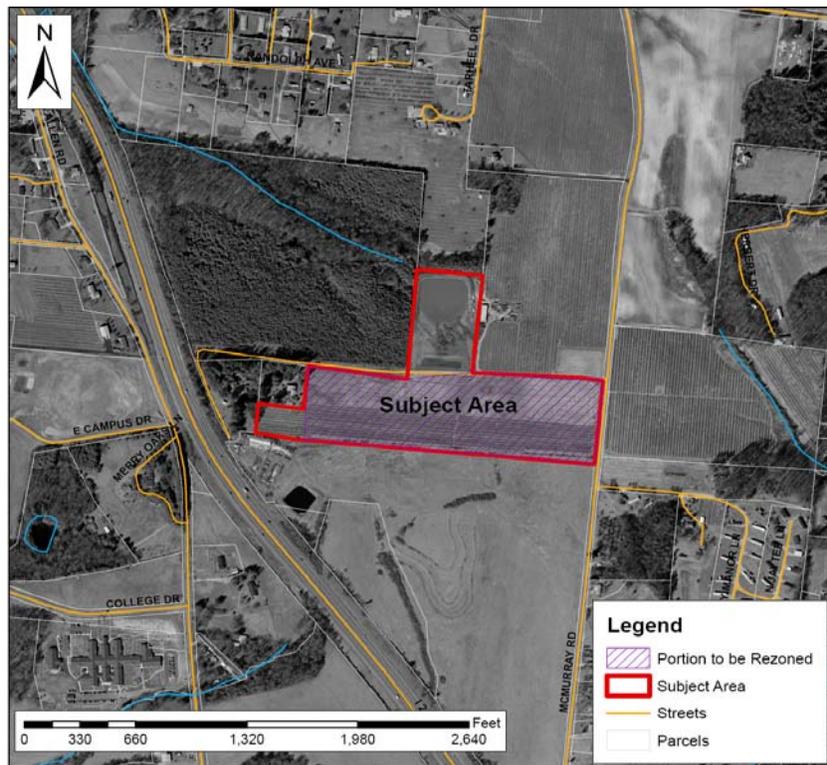
**McNutt Investments, LLC, Applicant**

**Charles A. Wilkins, Agent**

**1. Rezoning Request**

- 1.1. **Date of Application:** February 28, 2008
- 1.2. **Property Owner:** Robert Camenzind, trustee Enno F. Camenzind Trust
- 1.3. **Property Applicant:** McNutt Investments, LLC
- 1.4. **Applicant’s Agent:** Charles A. Wilkins
- 1.5. **Request:** Rezone a portion of the Subject Area from an R2MH (Residential Two with Manufactured Housing) zoning district to an I (Industrial) zoning district.
- 1.6. **Subject Area** (See Map A)

**Map A: Map of Subject Area**



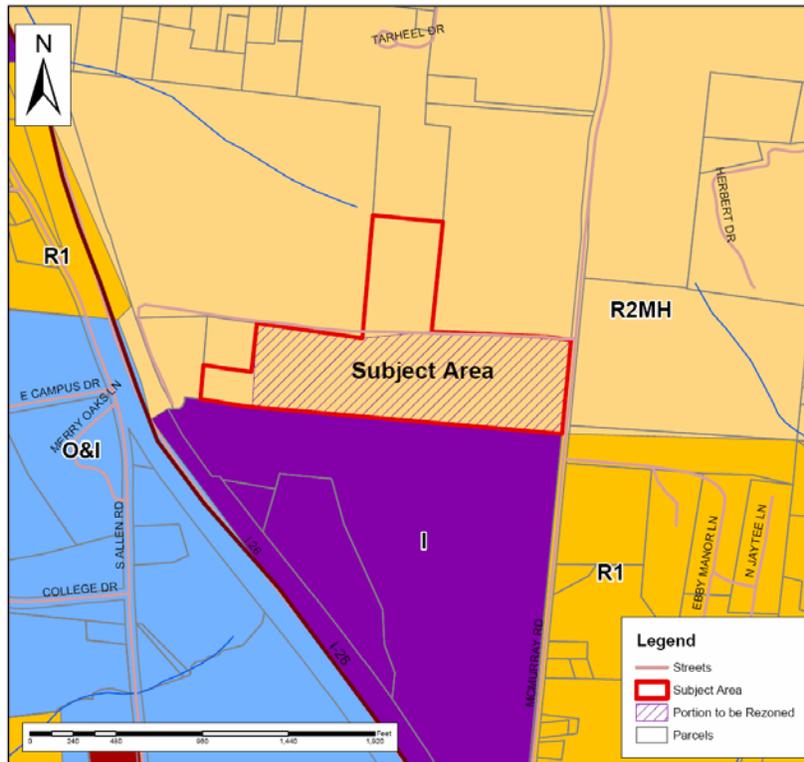
- 1.6.1 **PIN:** 9588-24-4381
- 1.6.2 **Size:** 19.15 acre portion of a 26.53 acre tract to be rezoned.
- 1.6.3 **Location:** The Subject Area is located along McMurray Road (SR 1790), approximately 3,610 feet (.69 miles) from the intersection of Upward Road

(SR 1783). I-26 intersects Upward Road less than 280 feet from McMurray Road.

**2. Current Zoning**

2.1. **Application of Current Zoning:** The Subject Area is currently zoned R2MH (Residential Two with Manufactured Housing), which was applied on September 19, 2007, as a result of the adoption of the Land Development Code (See Map B). The Subject Area was previously (prior to LDC adoption on September 19, 2007) zoned OU (Open Use).

**Map B: Current Zoning**



2.2. **Adjacent Zoning:** The Subject Area is surrounded by R2MH (Residential Two with Manufactured Housing) to the north, east, and west. Land adjacent to the Subject Area to the south on McMurray Rd (SR 1783) is currently zoned I (Industrial) (See Map B).

2.3. **Prior Zoning:** The areas surrounding the Subject Area were previously (prior to LDC adoption on September 19, 2007) zoned OU (Open Use).

**2.4. District Comparison:**

**R2MH (Residential Two with Manufactured Housing):** *“The purpose of Residential District Two Manufactured Housing (R2MH) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density residential development, with the inclusion of manufactured housing, consistent with the recommendations of the Comprehensive Plan. This general use district is typically meant to be utilized in areas designated as transitional in the Comprehensive Plan”* (Chapter 200A, Land Development Code §200A-29). R2MH requires 10 foot side and

rear setbacks, a maximum building height of 40 feet, and a standard density of one (1) unit per acre (maximum density of 2 units per acre).

- 2.4.1. **I (Industrial District):** *“The purpose of the Industrial District (I) is to foster orderly growth where the principal use of land is a mixture of industrial and heavy commercial. The intent of this district is to allow for industrial and heavy commercial development consistent with the recommendations of the Comprehensive Plan. In accordance with the Comprehensive Plan, the district will allow for and provide industrial and heavy commercial development that: (1) is compatible with adjacent development and the surrounding community; (2) will minimize conflict between lands uses; and (3) is sensitive to its impact on surrounding land uses and the environment (natural and man-made)”* (Chapter 200A, Land Development Code §200A-36). The Industrial District requires 20 foot side and rear setbacks, a maximum building height of 72 feet for principal structures, maximum impervious surface of 80%, and an unlimited maximum floor area.

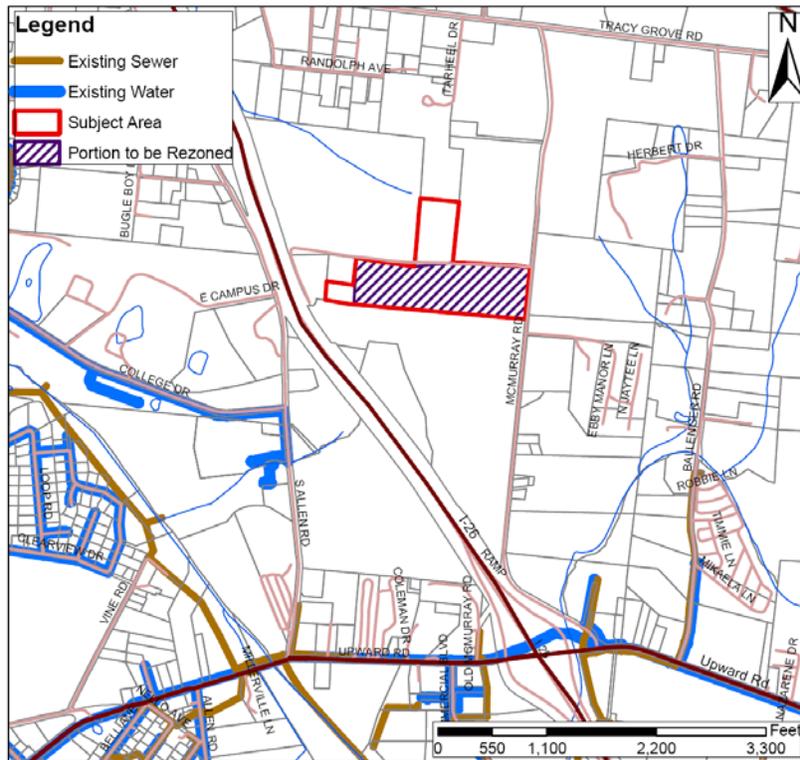
### **3. Current Uses of Subject Area and Adjacent Properties**

- 3.1. **Subject Area Uses:** The Subject Area appears to be vacant.
- 3.2. **Adjacent Area Uses:** Surrounding uses include a vacant field to the south, agricultural uses (apple orchards) to the north, residential uses (manufactured homes), and undeveloped lands to the east. Where McMurray Road (SR 1790) intersects with Upward Road (SR 1783), there are commercial uses including the Wafflehouse, Mountain Inn and Suites, Bloomfields Dishes and More, and McAbee’s Fruit Stand.

### **4. Water and Sewer**

- 4.1. **Public Water:** Public water is not currently located on the Subject Area. The nearest water line is approximately 1,265 feet (0.24 miles) southwest from the Subject Area (See Map C).
- 4.2. **Public Sewer:** Public sewer is not currently located on the Subject Area. The nearest sewer line is approximately 2,718 feet (.51 miles) southeast of the Subject Area (See Map C).

**Map C: Water and Sewer**



**5. Transportation and Access**

5.1. **Frontage:** The Subject Area has approximately 535 feet of road frontage along McMurray Road (SR 1790)

5.2. **Transportation:** Table 1, below, provides Annual Average Daily Traffic Counts for McMurray Road.

<b>Table 1. Annual Average Daily Traffic Count</b>	
<b>Road</b>	<b>2000*</b>
McMurray Road (SR 1790)	750

\* No traffic counts available since 2000

5.3. **The NCDOT Draft 2009-2015 State Transportation Improvement Program (STIP):** The Transportation Improvement Program, within the vicinity of the Subject Area, includes the widening and improvement of Upward Road (SR 1783) from Spartanburg Highway (US 176) to Howard Gap Road (SR 1006), project number R-4430. No improvements are scheduled for McMurray Road (SR 1790).

**6. The Henderson County 2020 Comprehensive Plan (CCP)**

6.1. **Urban Services Area:** The CCP Future Land Use Map identifies the Subject Area as being located in the Urban Services Area (USA)(2020 CCP, Pgs. 128, 129 & Appendix 1, Map 24) (See Map D).

6.1.1. The CCP states that, “the County’s economic development activities should be pursued within USA” (2020 CCP, Pg. 129).

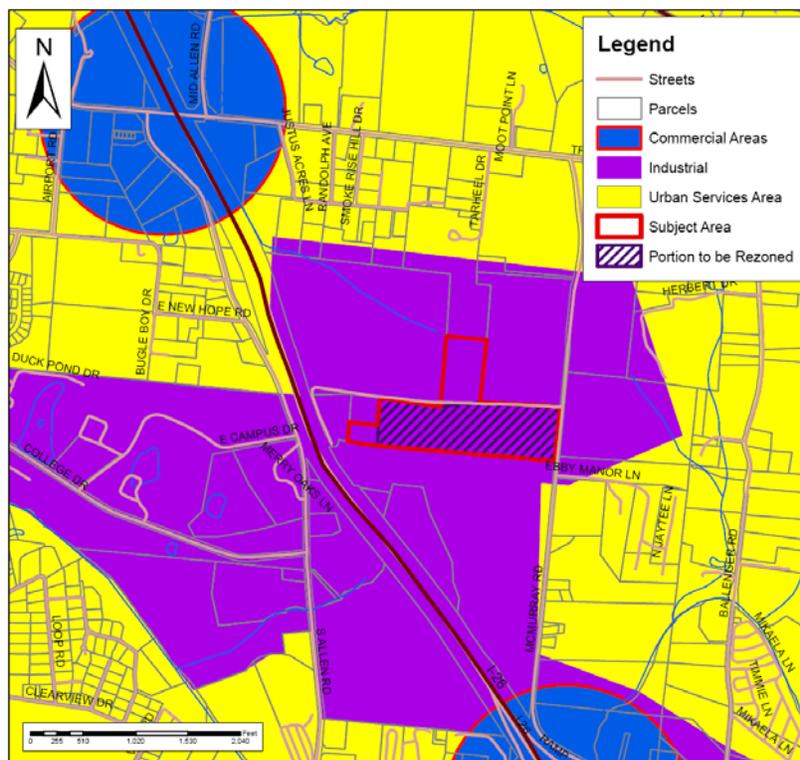
6.1.2. The CCP states that, “the USA will contain considerable commercial development at a mixture of scales,” and further, “all regional commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community” (2020 CCP, Pg. 129).

6.1.3. The CCP states that, “Industrial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community” (2020 CCP, Pg. 129).

6.2. **Industrial:** The CCP Future Land Use Map identifies the Subject Area as being located in an Industrial Area, a special designation within the urban services area (2020 CCP Pgs. Pgs. 136, 137 & Appendix 1, Map 24).

6.2.1. The CCP states that, “most defined industrial areas should lie within the Urban Services Area, and in other areas on a very limited basis. Most industrial uses should be segregated from other uses with the exception of Regional Commercial uses” (2020 CCP, Pg. 136).

**Map D: 2020 County Comprehensive Plan Future Land Use Map**



**7. Staff Comments**

Staff’s position at this time, under the guidelines of current plans, policies and studies, is it supports the rezoning of the property to be zoned for industrial uses. This based on the following:

7.1. **The 2020 CCP:** The CCP Future Land Use Map (See Map D) places the subject area in the “Urban Services Area” classification. The text and map of the 2020 CCP suggest that the Subject Area would be suitable for high-density residential,

commercial or industrial development. The CCP also indicates that Industrial may be suitable for the area as the Subject Area falls within the specially designated industrial area in the USA.

7.2. **Adjacent Zoning:** The Subject Area directly abuts an existing Industrial (I) zoning district to the south. If the Subject Area were to be rezoned to Industrial this property would be apart of a contiguous Industrial zoning district.

7.3. **Comparison of Districts:** Applying Industrial (I) will allow for industrial and heavy commercial uses. Residential uses will not be allowed.

## **8. Staff Recommendations**

8.1. When reviewing rezoning requests Staff attempts to identify plans or policies, changes in existing conditions, undue hardship to the Applicant, or overriding community interest to justify supporting the proposed rezoning. Staff's position at this time, under the guidelines of current plans, policies and studies, is it supports the rezoning of the Subject Area to Industrial (I) consistent with the recommendations of the Henderson County 2020 Comprehensive Plan.

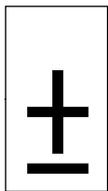
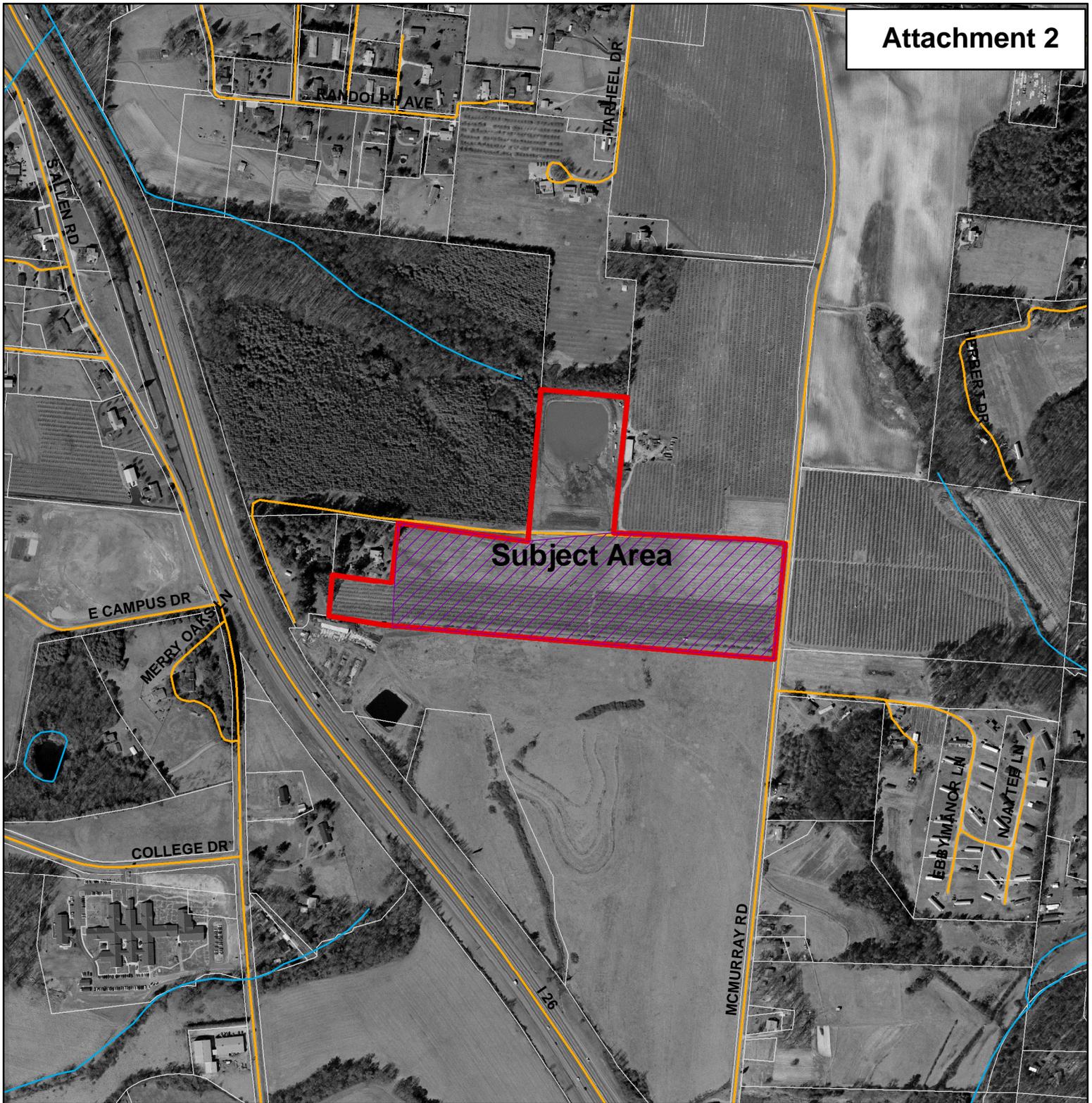
8.1.1. It is generally incumbent upon the Applicant to demonstrate an overriding justification for approving a given rezoning application. Staff encourages the Applicant to present any information that would inform the County's consideration of the proposed rezoning. Staff requests the Applicant not discuss any specific use being considered for the property. The Technical Review Committee, Planning Board, and the Board of Commissioners cannot consider any specific proposed use for the property and must only consider the range of possible uses when reviewing and making recommendations on the rezoning request.

## **9. Technical Review Committee Recommendations**

9.1. The Henderson County Technical Review Committee considered rezoning application #R-2008-03 at its regularly scheduled meeting on April 1, 2008. During that meeting, the Technical Review Committee voted unanimously to send forward a favorable recommendation on rezoning application #R-2008-03 to rezone the Subject Area from an R2MH zoning district to an Industrial zoning district.

## **10. Planning Board Recommendations**

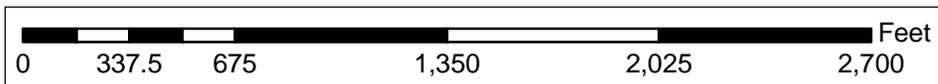
10.1. The Henderson County Planning Board considered rezoning application #R-2008-03 at its regularly scheduled meeting on April 17, 2008. During that meeting, the Planning Board voted unanimously (6-0) to send forward a favorable recommendation on rezoning application #R-2008-03 to rezone the Subject Area from an R2MH zoning to an Industrial zoning district.



**Legend**

-  Portion to be Rezoned
-  Subject Area
-  Streets
-  Parcels

Rezoning Application  
#R-2008-03  
Robert Camenzind, Trustee  
Enno F. Camenzind Trust



**§200A-1. Residential District Two Manufactured Housing (R2MH)**

A. **Purpose.** The purpose of Residential District Two Manufactured Housing (R2MH) is to foster orderly growth where the *principal use* of land is residential. The intent of this district is to allow for low to medium density *residential development*, with the inclusion of manufactured housing, consistent with the recommendations of the *Comprehensive Plan*. This general *use district* is typically meant to be utilized in areas designated as Transitional in the *Comprehensive Plan*.

B. **Density and Dimensional Requirements.** Each *use* allowed in this district shall, at a minimum, conform to the following requirements (in the case of a nonresidential *use* the *residential density* requirements shall not apply). In some cases a specific *use* may be required to meet the Supplemental Requirements as set forth in §200A-63 (Supplemental Requirements).

(1) Residential Density (units/acre)		(2) Standard	1
		(3) Maximum	2
(4) Yard Setbacks (feet)	Front or ROW	<i>Local</i>	15
		<i>Collector</i>	20
		<i>Thoroughfare</i>	35
		<i>Boulevard</i>	50
		<i>Expressway</i>	60
		<i>Freeway</i>	90
		<i>Side</i>	10
	<i>Rear</i>	10	
(5) Maximum Height (feet)			40

(1) *Residential density* shall be calculated utilizing the entire acreage of a *tract* of land. Under this scenario, *residential density* shall be determined based on the following formula:

*Lot size* x allowable units per acre = permitted *dwelling units*

The following example assumes a 5 acre tract with an allowable density of 1 unit/acre:

5 acres x 1 unit per acre = **5 permitted dwelling units**

The maximum *residential density* for portions of the *tract* with a *slope* of 60 percent or greater (where such *slope* areas of the *tract* account for ten (10) percent or more of the *tract*) shall be one-half (½) the eligible density.

- (2) Standard *residential density* shall be applied:
- a. On a *lot* existing at the time of the initial adoption of this Chapter, where there is not adequate area to comply with the applicable standard *residential density* requirement;
  - b. To single-family residential *uses*; and

c. To multifamily residential *uses* with fewer than five (5) units.

- (3) Maximum *residential density* shall be available to multifamily dwellings (including duplexes, triplexes, quadraplexes and multifamily dwellings with five (5) or more units). provided such dwellings are generally served by public or private utility systems which meet the requirements of the Henderson County Department of Environmental Health or other governmental authorities having jurisdiction thereof.
- (4) Residential *accessory structures* shall be located in *side* or *rear yards* and shall be *setback* a minimum of ten (10) feet from any property line.
- (5) Maximum height may be exceeded in multifamily developments as detailed in §200A-63 (Supplemental Requirements) SR 1.6. (Dwelling, Multifamily, Five (5) or More Units), provided such developments do not exceed 50 feet in height.

**§200A-1. Industrial District (I)**

- A. **Purpose.** The purpose of the Industrial District (I) is to foster orderly growth where the *principal use* of land is a mixture of industrial and heavy commercial. The intent of this district is to allow for *industrial* and heavy *commercial development* consistent with the recommendations of the *Comprehensive Plan*. In accordance with the *Comprehensive Plan*, the district will allow for and provide *industrial* and heavy *commercial development* that: (1) is compatible with adjacent development and the surrounding community; (2) will minimize conflict between land *uses*; and (3) is sensitive to its impact on surrounding land *uses* and the environment (natural and man-made).
- B. **Density and 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).

<b>Table 2.10. I Density and Dimensional Requirements</b>			
<i>Maximum Impervious Surface (%)</i>		80	
<i>Maximum Floor Area (sq ft)</i>		Unlimited	
<i>Yard Setbacks (feet)</i>	<i>Front or ROW</i>	<i>Local</i>	20
		<i>Collector</i>	30
		<i>Thoroughfare</i>	40
		<i>Boulevard</i>	50
		<i>Expressway</i>	50
		<i>Freeway</i>	60
	<i>Side</i>		20
	<i>Rear</i>		20
<i>Maximum Height (feet)</i>		72	

USE TYPE	GENERAL USE DISTRICT P=Permitted; S=Special Use Permit		
	R2MH	I	SR
<b>1. RESIDENTIAL USES</b>			
<i>Assisted Living Residence</i>	S		1.1
<i>Bed and Breakfast Inn</i>	P		1.2
<i>Continuing Care Retirement Community</i>	S		1.3
<i>Dwelling, Duplex</i>	P		1.4
<i>Dwelling, Manufactured Home (multi-section)</i>	P		1.5
<i>Dwelling, Manufactured Home (singlewide)</i>	P		1.5
<i>Dwelling, Mobile Home</i>	P		1.5
<i>Dwelling, Single Family Detached</i>	P		1.8
<i>Dwelling, Triplex</i>	P		1.9
<i>Family Care Home</i>	P		1.10
<i>Hospice Residential Care Facility</i>	S		1.12
<i>Manufactured Home Park</i>	S		1.13
<i>Nursing Home</i>	S		1.14
<i>Rooming and Boardinghouse</i>	S		1.15
<b>2. ACCESSORY USES</b>			
<i>Childcare Facility (as an accessory for a principal business)</i>	S	P	2.1
<i>Dwelling, Single-Family (as an accessory for a principal business)</i>	P		2.3
<i>Fuel Pumps</i>	S	P	2.4
<i>Home Occupation, Adult Day Care</i>	P		2.5
<i>Home Occupation, Childcare Facility</i>	P		2.6
<i>Home Occupation, General</i>	P		2.7
<i>Outdoor Storage ≤5000 sq ft</i>	S	P	2.8
<i>Outdoor Storage &gt;5000 sq ft</i>	S	P	2.9
<i>Rural Family Occupation</i>	P		2.10
<b>3. ACCESSORY STRUCTURES</b>			
<i>Airport (Private Accessory)</i>		S	3.1
<i>Automatic Teller Machine</i>		P	3.2
<i>Boathouse, Private</i>	P		3.3
<i>Bulkhead</i>	P		3.4
<i>Carport</i>	P		-
<i>Dock/Pier</i>	P		3.5
<i>Dwelling, Accessory Residential</i>	P		3.6
<i>Garage, Residential</i>	P		-
<i>Gate and/or Guardhouse</i>	P	P	3.7
<i>Greenhouse</i>	P	P	3.8
<i>Heliport (Private Accessory)</i>	S	P	3.9
<i>Loading Bay</i>		P	-
<i>Parking Garage</i>		P	3.11
<i>Planned Seasonal Agricultural Worker Development</i>	P	P	3.12

Yellow highlighting indicates uses allowed in R2MH and not in I.

Orange Highlighting indicates uses allowed in I and not in R2MH.

USE TYPE	GENERAL USE DISTRICT P=Permitted; S=Special Use Permit		
	R2MH	I	SR
<i>Produce Stand, Accessory</i>	P	P	3.13
Satellite Dish	P	P	-
Storage Shed	P	P	3.14
<i>Swimming Pool, Spa, Hot Tub, Residential</i>	P		-
<i>Wastewater Treatment Plant, Small Accessory</i>	P	P	3.15
<b>4. RECREATIONAL USES</b>			
<i>Amusement Park</i>		S	4.1
<i>Athletic Field, Non-commercial</i>	P		4.2
<i>Camp</i>	P		4.3
<i>Campground</i>	S		4.4
<i>Common Area Recreation and Service Facilities</i>	P		4.6
<i>Golf Course and/or Country Club</i>	P		4.7
<i>Governmental Recreational Facilities</i>	P		4.8
<i>Marina</i>	S		4.10
<i>Miniature Golf Course or Driving Tees/Ranges (operated for commercial purposes)</i>	S		4.11
<i>Motor Sports Facility, Major</i>		S	4.12
<i>Motor Sports Facility, Minor</i>		S	4.13
<i>Motor Sports Facility, Recreational</i>		S	4.14
<i>Outdoor Recreational Facilities</i>	S	S	4.15
<i>Park</i>	P	S	4.16
Physical Fitness Center	S	S	4.17
<i>Recreational Vehicle Park</i>	S		4.18
<i>Riding Stables</i>	P		4.19
<i>Shooting Ranges, Indoor</i>	S	S	4.21
<i>Shooting Ranges, Outdoor</i>		S	4.22
<i>Sporting and Recreational Facilities</i>	S	S	4.23
<i>Swim and Tennis Club</i>	P		4.24
<b>5. EDUCATIONAL AND INSTITUTIONAL USES</b>			
<i>Adult Day Care Facility</i>	P		5.1
<i>Ambulance Services</i>	P	S	5.2
Cemetery/Mausoleum/Columbarium (excluding crematoriums)	P	S	5.3
<i>Childcare Facility</i>	P	S	5.4
<i>Club/Lodge</i>	P	S	5.5
<i>Community Club</i>	P		5.7
<i>Correctional Facilities</i>		S	5.8
<i>Fire and Rescue Station</i>	P	P	5.9
<i>Government Offices</i>		S	5.11
<i>Museum/Library/Archive</i>	S		5.14
<i>Place of Assembly, Large</i>		S	5.15
<i>Place of Assembly, Small</i>	S	S	5.16

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Orange Highlighting indicates uses allowed in I and not in R2MH.

USE TYPE	GENERAL USE DISTRICT P=Permitted; S=Special Use Permit		
	R2MH	I	SR
<i>Police Station</i>	S	P	5.17
<i>Religious Institution</i>	P	S	5.18
<i>School (Home)</i>	P		-
<i>School (Public/Private/Charter)</i>	P		5.19
<i>Youth Center</i>	S		5.20
<b>6. BUSINESS, PROFESSIONAL, AND PERSONAL SERVICES</b>			
<i>Automobile and Equipment Service</i>	S	S	6.2
<i>Automotive Towing</i>		S	6.3
<i>Broadcasting and Communications Facilities</i>		S	6.4
<i>Exterminating and Pest Control Services</i>		S	6.6
<i>Kennel</i>	S		6.7
<i>Office: Business, Professional and Public</i>	S		6.9
<i>School (Technical, Trade and Business)</i>		S	6.10
<i>Tire Recapping</i>		S	6.12
<b>7. RETAIL TRADE</b>			
<i>Adult Book and Retail Merchandise Store</i>		S	7.1
<i>Adult Theatre and Live Entertainment</i>		S	7.2
<i>Convenience Store</i>		S	7.4
<i>Fuel Oil Distribution and Sales</i>		S	7.7
<i>Landscaping Materials Sales and Storage</i>		S	7.8
<i>Manufactured/Mobile Home Sales</i>		S	7.9
<i>Open Air Market</i>	S		7.11
<i>Parking Garage or Lot (requiring payment)</i>		S	7.12
<i>Produce Stand</i>	P		7.13
<i>Truck Stop</i>		S	7.19
<b>8. WHOLESALE TRADE</b>			
<i>Wholesale Trade</i>		S	8.1
<b>9. TRANSPORTATION, WAREHOUSING AND UTILITIES</b>			
<i>Airport (Private)</i>		S	9.1
<i>Airport (Public)</i>		S	9.2
<i>Communication Facilities, Category 1</i>	P	P	9.3
<i>Communication Facilities, Category 2</i>	P	P	9.3
<i>Communication Facilities, Category 3</i>		S	9.3
<i>Hazardous Waste Disposal Facilities</i>		S	9.4
<i>Land Clearing Debris and Inert Debris Storage or Disposal</i>	S	S	9.5
<i>Rail Transportation Facilities and Support Activities</i>		P	9.6
<i>Self-Storage Warehousing</i>	S		9.7
<i>Septic Tank and Related Services</i>		S	9.8
<i>Solid Waste Combustors and Incinerators</i>		S	9.9
<i>Transit and Ground Passenger Transportation</i>		S	9.10

Yellow highlighting indicates uses allowed in R2MH and not in I.

Orange Highlighting indicates uses allowed in I and not in R2MH.

USE TYPE	GENERAL USE DISTRICT P=Permitted; S=Special Use Permit		
	R2MH	I	SR
<i>Truck Terminals</i>		P	9.11
<i>Utility Substation</i>	P	P	9.12
<i>Warehousing and Storage (Excluding Warehousing of Hazardous Substances)</i>		P	9.13
<i>Waste Collection and Transfer Facility (Hazardous)</i>		S	9.14
<i>Waste Collection and Transfer Facility (Non-hazardous)</i>	S	S	9.15
<i>Wastewater Treatment Plant</i>	S	P	9.16
<i>Water Treatment Plant</i>	S	P	9.17
<b>10. MANUFACTURING &amp; INDUSTRIAL USES</b>			
<i>Asphalt Plant</i>		S	10.1
<i>Battery Manufacturing Facility</i>		S	10.2
<i>Chip Mill</i>		S	10.3
<i>Concrete Batch Plant</i>		S	10.4
<i>Junkyard</i>		S	10.5
<i>Landfill, Public or Private</i>		S	10.6
<i>Machining and Assembly Operations ≤10,000 sq ft (of gross floor area)</i>	S	P	10.7
<i>Machining and Assembly Operations &gt;10,000 sq ft (of gross floor area)</i>		P	10.7
<i>Manufacturing and Production Operations ≤10,000 sq ft (of gross floor area)</i>	S	P	10.8
<i>Manufacturing and Production Operations &gt;10,000 sq ft (of gross floor area)</i>		P	10.8
<i>Materials Recovery Facilities (Recycling)</i>		P	10.9
<i>Mining and Extraction Operations</i>		S	10.10
<i>Packaging and Labeling Services</i>		P	10.11
<i>Pesticide, Fertilizer and Other Agricultural Chemical Manufacturing</i>		S	10.12
<i>Product Processing and Storage Facilities</i>		P	10.13
<i>Recycling Centers, Drop-Off Facilities</i>	P	P	10.14
<i>Research and Development Operations (Hazardous or Biological Materials)</i>		P	10.15
<i>Research and Development Operations (Non-hazardous)</i>		P	10.16
<i>Sawmill</i>		P	10.17
<i>Slaughterhouse</i>		P	10.18
<i>Truck Wash</i>		P	10.19
<b>11. TEMPORARY USES</b>			
<i>Christmas Tree Lot Sales</i>	P		11.1
<i>Circuses, Carnivals, Fairs, Religious Services (or similar types of events)</i>		P	11.2
<i>Model Home Sales Office, Temporary</i>	P		11.3
<i>Movie Production</i>	P	P	-
<i>Yard Sale</i>	P		11.4
<b>12. TEMPORARY STRUCTURES</b>			
<i>Portable Storage Container</i>	P	P	12.1
<i>Produce Stand, Temporary</i>	P	P	12.2
<i>Temporary Construction Project Buildings</i>	P	P	12.3
<i>Tent Sale</i>		P	12.4

Yellow highlighting indicates uses allowed in R2MH and not in I.

Orange Highlighting indicates uses allowed in I and not in R2MH.

USE TYPE	GENERAL USE DISTRICT P=Permitted; S=Special Use Permit		
	R2MH	I	SR
<b>13. AGRICULTURAL USES</b>			
<i>Agriculture</i>	P	P	-
Food Manufacturing	P	P	-
<i>Forestry</i>	P	P	-
<i>Forestry Support Services</i>	P	P	-
Veterinary Services (livestock)	P	P	-

Yellow highlighting indicates uses allowed in R2MH and not in I.  
 Orange Highlighting indicates uses allowed in I and not in R2MH.

**HENDERSON COUNTY  
PLANNING BOARD MINUTES  
April 17, 2008**

Rezoning Application # R-2008-03 – Rezone Approximately 19.15 Acres of Land – Located Along McMurray Road – Residential Two with Manufactured Housing (R2MH) to Industrial (I) Zoning District – Charles A. Wilkins, Agent for McNutt Investments, LLC, Applicant, Robert Camenzind, Owner. Presentation by Alexis Baker, Planner. Ms. Baker stated that the request is for the County to rezone approximately 19.15 acres of a 26.53 acre tract from Residential Two with Manufactured Housing (R2MH) zoning district to an Industrial (I) zoning district. The subject area is one parcel owned by Mr. Robert Camenzind, trustee Enno F. Camenzind Trust. The subject area is located on McMurray Road, approximately 3,610 feet from the intersection of Upward Road. I-26 intersects Upward Road less than 280 feet from McMurray Road. She stated that the subject area is surrounded by R2MH to the north, east, and west. Land adjacent to the subject area to the south on McMurray Road is currently zoned (I) Industrial. Prior to the Land Development Code adoption, the subject area was zoned Open Use. The Comprehensive Plan identifies the subject area as being located in the Urban Services Area and states that it should contain considerable mixture of commercial development and that all regional commercial development should be concentrated here. Ms. Baker stated that currently the subject area is vacant and surrounding areas include a vacant field to the south, agricultural uses are to the north and residential uses with some undeveloped areas to the east. She stated that where McMurray Road intersects with Upward Road there are commercial uses. Currently there is no public water or public sewer located on the subject area. The nearest existing water line is approximately 1,265 feet from the subject area and a proposed sewer line is approximately 2,048 feet from the subject area. The existing public sewer is approximately 9,971 feet southwest away. Ms. Baker stated that Staff supports the rezoning of the subject area to industrial as it is consistent with the recommendations of the Henderson County 2020 Comprehensive Plan (CCP) as the CCP Future Land Use Map places the subject area in the “Urban Services Area” classification and therefore would be suitable for high density residential, commercial or industrial development. She stated that the Technical Review Committee considered rezoning application at its regularly scheduled meeting on April 1, 2008. Ms. Kumor stated that the small piece they are not asking to rezone, would it have access to the road? Ms. Baker stated that they do have road access and pointed to the area. She also added that the agent can further discuss this. Chairman Pearce asked the agent for the owners to speak on this issue and the request. Charlie Wilkins. Mr. Wilkins stated that there is an access easement through the residential area as required by the Technical Review Committee. He stated that the purpose of the rezoning is to bring industry to Henderson County. He added that they have plans for immediate development in the form of a business and the property will be subdivided for industrial users, who will be bringing in water from Upward Road. He mentioned that at this time, if and when we bring in an industry, the sewer will come in from a non-adjacent County then we would have help from the economic development partnership to bring sewer in, but until that time, we will be operating off of septic systems.

After some discussion, Chairman Pearce made a motion that the Board recommend sending approval to the Board of Commissioners for rezoning application R2008-03 to rezone the subject area from a Residential Two with Manufactured Housing (R2MH) zoning district to an Industrial (I) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan. Renee Kumor seconded the motion and all members present voted in favor.



1. View of rezoning posting from southeastern corner.



2. View of existing apple orchard on subject area



3. View of subject area from the east.



4. View of subject area along existing road to the north of the subject area.



**Rezoning Application #R-2008-03  
(R2MH to I)**

Robert O. Camenzind, Applicant  
Charles Wilkins, Agent

