

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: Thursday, May 21, 2009

SUBJECT: Update regarding 2008 Annual LDC Amendments

STAFF CONTACT: Anthony Starr, AICP, Planning Director

ATTACHMENTS: None.

SUMMARY OF REQUEST:

The Planning Board Chairman requested an update regarding the recent amendments to the Land Development Code (LDC). The Board of Commissioners approved all but one of the remaining 4 amendments. The amendment providing an intermediate density of 8 units per acre in the R-1 zoning district (with water and sewer service) was approved by the Board of Commissioners on May 4th (referred to as amendment 22). [Approved, 4-1 vote]

The Board also approved amendment 17 regarding the provisions of adequate water supply for 60% of the lots, in a major subdivision, in the Comprehensive Plan designated Rural Agricultural Area (RAA) [Approved, 3-2 vote]. This amendment applies to only major subdivisions in the RAA when individual wells are proposed. Planning staff is working on final details for the required documentation in an effort to allow the developer to understand the expectations up front and to not create inconsistencies with State “community well” standards.

The Board also approved amendment 21 with the change that accessory wastewater treatment plants (a.k.a. package plants) would be allowed in the R-3 and R-4 zoning districts only as a special use permit instead of outright prohibiting that use in those districts [Approved, 4-1 vote]. All special use permit applications are reviewed and approved by the Board of Adjustment.

The Board of Commissioners also tabled amendment 12 that dealt with allowing accessory wind turbines for residences and businesses. This does not apply to the large utility scale wind turbines seen frequently on television advertisements. The Board requested additional information and possible changes regarding the blade size allowed and setbacks. The use may also be allowed only with a special use permit. Action on this amendment is expected in the coming weeks once staff prepares the new information requested.

PLANNING BOARD ACTION REQUESTED:

No action requested. Item provided as information only as requested.

Suggested Motion:

None suggested.