

REQUEST FOR BOARD ACTION

HENDERSONCOUNTY BOARD OF COMMISSIONERS

MEETING DATE: June 19, 2019

SUBJECT: Continued Discussion on Rezoning Application #R-2018-10-C, Tap Root Farms, Regional Commercial (RC) to Residential One Conditional District (R1-CD)

PRESENTER: Autumn Radcliff, Planning Director

ATTACHMENTS: 1. Resolution of Consistency

SUMMARY OF REQUEST:

Rezoning Application #R-2018-10-C was initiated on December 27, 2018 and requests that the County conditionally rezone approximately 286 acres of land from Regional Commercial (RC) to a Residential One Conditional District (R1-CD). The project consists of 3 parcels located off Butler Bridge Road with a total acreage of 319.66 acres. The proposed rezoning does not include approximately 33.66 acres located directly adjacent to Butler Bridge Road. The property owner is Tap Root Farms, LLC. Mr. Ken Jackson is the applicant.

The applicant is proposing a residential development with a total of 1,078 units consisting of single-family homes and townhomes (no apartments are proposed). The development is required to be approved as a conditional rezoning due to the number of units proposed. Conditional rezonings allow for the Board of Commissioners to place conditions on the property to address community concerns and increase the proposed development's compatibility with adjacent uses.

The Board of Commissioners held a public hearing on June 3rd, 2019 which met the legal notice requirements. The Board closed the hearing and discussed several potential conditions if approved. After asking several questions of the applicant, the Board tabled the discussion until the June 19th meeting. The Board stated that no additional public input would be allowed at the June 19th meeting but questions to staff or the applicant may be requested.

BOARD ACTION REQUESTED:

Board action is required. If the Board approves the rezoning, any conditions of approval should be stated with the motion. The Board must also adopt a resolution of consistency with the CCP. A list of conditions and a suggested motion will be provided for the Board the prior to the start of the meeting.

Suggested Motion:

None.



RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §153, Article 18, the Henderson County Board of Commissioners exercises regulations relating to development within the County's jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Board desires to update and revise the regulations of the LDC; and

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2018-10-C; and

WHEREAS, pursuant to N.C. General Statute §153-323, the Planning Director provided the prescribed public notice and the Board held the required public hearing on June 3, 2019; and

WHEREAS, N.C. General Statute §153-341 requires the Board to adopt a statement of consistency with the County Comprehensive Plan (CCP); and

NOW THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. That the Board reviewed the proposed map amendment (#R-2018-10-C, Tap Root Farms) and finds that it is reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed map amendment with discussed conditions provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS the 19th day of June, 2019.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
WILLIAM LAPSLEY, Vice Chairman

ATTEST:

Teresa Wilson, Clerk to the Board

[COUNTY SEAL]