

**HENDERSON COUNTY PLANNING BOARD
AND THE HENDERSON COUNTY COMPREHENSIVE PLAN
ADVISORY COMMITTEE
May 20, 2004 MEETING**

The Henderson County Planning Board and the Henderson County Comprehensive Plan (CCP) Advisory Committee met on May 20, 2004, for a joint meeting at 3:00 p.m. in the Meeting Room of the Land Development Building, 101 East Allen Street, Hendersonville, NC. Planning Board members present were: Tedd Pearce, Leon Allison, Walter Carpenter, Paul Patterson, Mike Cooper, and Tommy Laughter. Comprehensive Plan Advisory Committee members present were: Hall Waddell and Wayne Carland. Others present included: Josh Freeman, Project Manager; Nippy Page, Planner; Karen Smith, Planning Director; Kathleen Scanlan, Secretary and Selena Coffey, Budget and Management Director. Planning Board members Todd Thompson, Cindy Dabaibeh and Vivian Armstrong were absent. Comprehensive Plan Advisory Committee members Jack Lynch, Paul Prosky and Larry Blair were absent.

Tedd Pearce called the meeting to order. Mr. Pearce said the Comprehensive Plan Advisory Committee does not have a quorum. The only members present are Hall Waddell and Wayne Carland but the Planning Board members request they be allowed to participate in this meeting's proceedings. Mr. Pearce asked Mr. Waddell and Mr. Carland to be advisors to their Committee and indicated the CCP Advisory Committee will probably need to call their own meeting to ratify any decisions that are made.

Mr. Pearce said regarding the Planning Board members, he scheduled a meeting with the Land Use Subcommittee for the US 25 North Study to take a van tour of the study area on Tuesday, May 25, 2004 at 4:00 p.m.

The following detailed changes were made (**bold** indicating additions and ~~strike through~~ to delete from the document):

Recreation Element.

Introduction. The Committee agreed to take out the first paragraph.

Page 5 – *“Relate to the Henderson County Sewer and Water Master Plan with regard to the use of sewer and water rights-of-way as greenway paths, where **legally appropriate.**”*

Page 6 – Under C. (*“Enhance recreational space requirements within land development ordinances”*). Mr. Allison said in particular there are two concerns he feels very much against and he would not vote favorably for the Plan and they are impact fees, and taking private land for greenways. Mr. Freeman said if the Committee wants to form a greenway system, he feels it is also important to find a way that will be least painful for the taxpayer and allowing the development process to provide some of that space was one way to do it. He feels you need to base the plan on a system. Mr. Waddell said he doesn't feel a person should be required to give a greenway easement if they didn't want to. Mr. Pearce said greenways can be part of a recreational program, but he doesn't feel the purpose of this Comprehensive Plan is to dictate to the Commissioners and to the County that we will build greenways, but it is something that could be explored. He said if it is the will of the general public, not only to have such a thing but to finance it, and to do it in such a way that will not create more public discord than good, than we can work towards trying to achieve it. He does not feel we should take the concept of greenways out completely because he feels this document is only trying to explore the means if the County wants to apply the financial resources to finish them, then we should step forward. Mr. Allison said he supports the recreation department,

but he feels the greenways should be separate from recreation. Mr. Pearce said he feels this is part of recreation. Mr. Cooper feels the Committee's purpose is not for writing policies but rather to suggest studying greenways and have educated people to make the right decisions on this matter. He feels that for the Committee to make these decisions on greenways and other matters in depth, we would need much more time than what is given us. Mr. Freeman broke down what this means under "C." He said the first paragraph says two different things. The first statement says we already require some version of recreational space in parts of our ordinance but in Staff's opinion, it is somewhat weak and often times not as useful to the people they serve. We need ways to be more effective and useful and that will be required of the people who are doing the development because it would require better space equalization and/or recreational facilities. So the first issue is do we really want to keep this in the document and work towards improved recreational standards under the current ordinances that the County has, not procuring greenways or parks or do we just take existing requirements we have and make sure they are adequate and have a relationship to our broaden recreational plan. After further discussion, the Committee felt the last portion of the first paragraph should be taken out: *"Also, the County should explore ways to procure publicly accessible recreational sites through the development process. Examples of such measures include impact fees upon development, requiring the dedication of greenway rights-of-way or identified future park sites when such areas are located within a given project."* Mr. Freeman said he would revise the second paragraph to make sure whatever is required will have some rationale relationship to the recreational master plan will be developed so that there won't be some type of random requirements for no particular reason.

Page 7 – Recommendation R-02: **"Consider forming a community and regional greenway network."**

Page 11 – Under the *Summary* section, "C" needs to be reworded to stay consistent with the text. Mr. Pearce stated that subject to the changes the Committee has addressed, the Planning Board accepts the Recreation Element as written. Hall Waddell and Wayne Carland also acknowledged the acceptance of the Recreation Element.

Housing Element.

Page 2 – Under Figure H.1 *Designing Our Future Ballot Results, Housing* - Mr. Waddell said out of the results, he felt the issue regarding "Create a Housing Information Center" would have the greatest benefit. He feels this would coordinate all the different people that deal in this area and people can find out about assistance that is available. Ms. Coffey suggested this issue should be included under Recommendation H-01: *"Promote a diverse range of home ownership and rental opportunities."* Committee members felt this should be an Action Strategy under the Recommendation H.1.

Page 6 – Under Action Strategies – A. *"Revise County ordinances to allow the private sector to develop a broad range of housing choices,"* the last bullet which states:

"Allow manufactured homes – with aesthetic standards – in some new zoning districts. Existing residential zoning districts that do not currently allow manufactured housing should maintain such status." Mr. Patterson was not in favor of this but after some discussion among Committee members, it was left in for the discretion of the Commissioners to decide whether they would want to keep it in the document or leave it out.

Page 9 – *"Meanwhile, modular units have risen from 2% to 4 percent of all new units."*

Page 10 – C. **"Consider Developing the Henderson County Strategic Affordable Housing Plan."**

Page 14 – In the Housing Element Summary Table C should conform to say the same as on page 10 by adding **"consider developing"** to the sentence.

Also the Committee felt that what was previously mentioned regarding *Create a Housing Information Center* should be included on Page 14 as possibly "G" as an Action Strategy.

Mr. Pearce stated that subject to the changes the Committee has addressed, the Planning Board accepts the Housing Element as written. All members voted in favor except for Paul Patterson, who was opposed.

Transportation Element.

Page 2 - Typographical error in sentence, which should read:

*“Access management is an obvious strategy in the fight to preserve the travel speeds and minimize accidents on our roadway system. The real beauty...is that it can provide many substantial benefits **at a** relatively low cost.”*

Page 3 – Take out: *“Source: <http://www.accessmanagement.gov/index.html>. For more information, please see attached NCDOT brochure.”*

Mr. Pearce stated that subject to the changes that the Committee has addressed, the Planning Board accepts the Transportation Element as written. All members voted in favor.

Water & Sewer Element.

Page 2 – Typographical error in sentence:

*“Similarly, the 2002 Mud Creek Service Area Agreement and the recent creation of the Water and **Sewer** Advisory Committee have and will continue to improve the conditions.”*

Page 3 – Typographical error in sentence:

*“However, none of these documents are comprehensive or regional in scope, and many of **the** recommendations are no longer relevant for various reasons.”*

Page 4 – Typographical error in following sentences:

*“In the prioritization of areas targeted for water and sewer extension as part of the 2020 Water and **Sewer** Master Plan, the following critical areas should be given high priority in the planning of future sewer extension projects.”*

“The role of the WSAC ~~will~~ is to chart a new, coordinated future for water and sewer planning Henderson County.”

Page 6 – Spell out: DENR WaDE program.

Mr. Pearce stated that subject to the changes that the Committee has addressed, the Planning Board accepts the Water and Sewer Element as written. All members voted in favor.

Public Schools Element.

Mr. Freeman said the overall goal of this chapter is to be able to do better fiscal planning. He said if the school system is pro-active for growth and the County is pro-active for growth, then we could do better budgeting and better fiscal management.

Page 2 – *“The remedy to this situation lies in projecting long-term population trends in each school planning area, developing plans to most identified needs, ~~and imposing land development regulations that respect infrastructural carrying capacity.”~~*

Page 3 – *“~~Inform~~ **Guide** the County’s ~~own~~ near and long-term Strategic Plans and Capital Improvements Plans.”*

The Committee asked to take out these three bullets and reword:

- ~~Placing emphasis on saving the old over building new facilities.~~
- ~~Constructing small schools on compact sites.~~
- ~~“Fragmenting” school sites by allowing sports fields to exist off-site in adjacent neighborhoods.~~

Mr. Freeman reworded the three bullets as follows:

- Explore opportunities to save the old over building new facilities
- **Consider** constructing small schools **in** compact sites.

- **Consider** “fragmenting” school sites by allowing sports fields to exist off-site in adjacent neighborhoods.

Mr. Freeman added to the additional bullets as follows:

- **Consider** making school sites pedestrian-friendly, with safe and adequate bicycle, pedestrian and greenway connections.
- **Consider** sharing facilities with parks and recreation.
- **Consider** connecting to public transportation, public water and public sewer systems.
- **Consider** accounting for road capacity and traffic concerns.

Mr. Pearce stated that subject to the changes that the Committee has addressed, the Planning Board accepts the Public Schools Element as written. All members voted in favor.

Growth Management Strategy.

Mr. Waddell did not feel there was not enough time to review this section and accomplish completion. Mr. Pearce said the Committee would go forward with this section for any changes. Page 208 -

“The Urban Services Area ~~is defines~~ that area within which most urban services and urban-scale development is currently concentrated, and within which such development should generally be concentrated through the year 2020.”

*“Much **of the land in the USA** will falls within municipal planning jurisdictions and will managed under the provision of urban scale land use regulations.”*

“Land use planning for areas falling within the County’s jurisdiction should be comparable and compatible in its approach and intensity to planning conducted within the various municipal jurisdictions. ~~except where the County determines that its requirement exceed those of adjacent municipalities.”~~

Page 209 –

“Access along ~~to~~ roads should be managed appropriately.”

“Most public investments in transit and greenways should focus upon the USA through 2020. ~~Public transit throughout the USA should be extensive.”~~

“New development should be developed with pedestrian, bicycle and vehicle access in mind. ~~and should integrate long term greenways plans into site design.”~~

“Sewer and water infrastructure investments should be focused ~~upon the USA first and foremost, and comprehensive in their coverage of this area. Priority should be given to economic development sites, commercial districts, dense residential areas, schools, and existing areas prone to septic failure, within the USA.~~ Investments in sewer and water infrastructure outside of the USA should be made cautiously.”

(Paul Patterson left the meeting at this time).

Page 211 –

*“Commercial development and Community Facilities will be encouraged ~~to~~ **within** defined Community Service Centers, which are located at key nodes/intersection and traditional locations, and within predefined zoning districts whose standards and configuration are in keeping with the surrounding community, ...”*

Take out: *“~~Project based affordable housing developments should take place in the RTA.”~~*

*“Most industrial land uses and commercial land uses of a regional nature should be ~~prohibited~~ **discouraged** except for regional circumstances.”*

Page 212 –

Take out: *Planning initiatives should attempt to incorporate such natural assets into future preservation projects, such as greenways, parks, conservation easements and other ventures that would serve to protect such areas from serious damage or destruction.*

The Committee asked to reword the following two sentences so that they should be condensed and combined together.

“As urban densities within the USA and development pressures within the RTA increase and as sewer and water capacities within the RTA are developed, areas of the RTA should be pulled in to the USA, and allowable densities substantially increased.”

“As such, the precise areas of the USA and RTA as reflected in the Official Zoning Map should be periodically reviewed in light of any changes in sewer and water capacity or service area coverage.”

Page 213 –

~~Take out: “Land use planning should acknowledge the presence of sensitive natural areas such as floodplains, wetlands, areas of excessively steep topography, and other natural and cultural assets, and strive to protect these areas from development, which would damage such resources or diminish their integrity.”~~

~~Take out: “Planning initiatives should attempt to incorporate such natural assets into future preservation projects, such as greenways, parks, conservation easements and other ventures that would serve to protect such areas from serious damage or destruction.”~~

~~“Additionally, Open Use Zoning in the RTA RAA should be modified to limit commercial development outside of commercially zoned areas, and modified to impose maximum density requirements generally consistent with the characteristics of the area.”~~

Page 215 –

Change B. from ~~Revise Land Use Regulations~~ to **Consolidate existing land development ordinances into a single *Land Development Code*.**

Page 216 –

Add: C. Consider revising Land Use Regulations as per the following:

Committee asked to reword the section regarding special or conditional use zoning. Mr. Pearce felt the rewording should include wording to say a broader range of allowable uses with more substantial design standards for industrial, commercial and residential uses that are in a dense area.

Page 218 –

“Existing County regulations address water quality to a certain extent. Article IV, Section 170-37 of the *Henderson County Subdivision Ordinance*, and Section 192-15 of the *Henderson County Water Supply Watershed Protection Ordinance* require a thirty-foot setback from all development be maintained along all perennial streams. It will be necessary to carry such requirements forward into the Land Development Code. Clarify existing language to require vegetation within the regulated area. The County should not substantially regulate the specific design and management of such vegetation. The Committee decided to reword this and Mr. Freeman suggested the change could read, **“Maintain and clarify existing 30-foot stream setback requirements and streamside vegetation requirements, as described in the Natural Resources element of this Comprehensive Plan.”** Committee members agreed on the change.

Page 219 –

Expand **the** areas **where** manufacture housing **is** allowed, but incorporate design standards.

Mr. Pearce said that by voting for this document, Mr. Freeman could come up with a way of maintaining the same language and putting some type of bulleting system that abbreviates the replication of verbiage in the Growth Management Strategy. He added he believes the Committee is in agreement on this section, but does not want any changing of wording. Mr. Freeman said he would not change any of the concepts or content of this section. Mr. Freeman asked whether the Committee was supportive enough to vote on this section.

Mr. Pearce stated that subject to the changes that the Committee has addressed, the Planning Board accepts the Growth Management Strategy as written. All members voted in favor.

Community Planning.

Mr. Freeman said that basically this section discusses the current planning system, talking about the Land Use Regulation Guide as it relates to planning; showing some of the key successes of the existing planning system that we presently have and, establishing the community based planning framework.

Mr. Pearce suggested on the future land use map, rather than color areas to signify community service centers, to circle the areas so it won't look site specific, because this could cause problems when there is rezoning issues later.

Mr. Freeman said there was a change made to the economic chapter which the Committee recommended which was to add an industrial site zoning study. He mentioned he wants to change the language to read: "an industrial site and commercial site zoning study" so we will not be just looking at industrial, but key industrial and commercial sites. Mr. Pearce asked the Committee whether they were in favor of this change. All voted in agreement. Tommy Laughter suggested that somewhere in the text describing these maps it should indicate that they are a "guide" and he would like to make sure this is included in the language dealing with these maps. Mr. Pearce suggested that any approval the Committee makes would be modified if the US 25 North Study map is approved prior to the conclusion of the Comprehensive Plan and that will be included in any decisions the Committee makes on this. Mr. Allison stated although he agrees on the maps, he would like to have it stated that, as the County moves to zone more areas of the County, the map in the Comprehensive Plan will change. After some discussion among Committee members, they generally agreed that on the future land use map it would state: *"This Future Land Use Map is not intended to provide precise, site-level detail as to future land use. Rather, it is intended to serve as a general guide for important infrastructural, zoning, and other decisions."* Mr. Pearce stated he feels that this language should be shown on the land use map and all members were in favor.

The Committee then went back and reviewed the *Community Planning* section. After some discussion, Mr. Pearce made a motion that the Planning Board (and the Advisory Committee members present) recommend and approve the amended draft of the County Comprehensive Plan and maps, and that the Advisory Board members present would recommend approval to the balance of their members. Mr. Allison asked if the Committee reads the reprint version and finds anything inconsistent or a mistake made on printing, how could things be rectified? Mr. Pearce said it would come by motions made through the Planning Board, assuming we do not hold any specific Comprehensive Plan meetings. He added that any further actions would need to be done by the Planning Board through motions in the form of letters of specific directives to be given to Mr. Pearce or to Planning Department Staff or, by individual letters to the Commissioners. Mr. Freeman said if there was anything in this draft the Committee members do not like, the members can forward their comments individually to the Planning Staff so that they can submit them to the Commissioners, along with any changes that they are already working on. Mr. Cooper seconded the motion to approve the amended draft of the County Comprehensive Plan and maps. All members voted in favor.

Adjournment. There being no further business, Mr. Pearce made a motion to adjourn.

Tedd Pearce, Chairman,
Henderson County Planning Board

Kathleen Scanlan, Secretary